

# FEDERAL REGISTER

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## TITLE 3—THE PRESIDENT

### EXECUTIVE ORDER 9856

**AUTHORIZING THE APPOINTMENT OF SAMUEL M. SAMPLER TO A POSITION IN THE CLASSIFIED SERVICE WITHOUT REGARD TO THE CIVIL SERVICE RULES**

NOTE: Executive Order No. 9856 was filed with the Division of the Federal Register as F. R. Doc. No. 47-4842, on May 21, 1947, at 11:01 a. m.

## TITLE 7—AGRICULTURE

### Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[B. E. P. Q. 485, 15th Rev.]

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### ADMINISTRATIVE INSTRUCTIONS MODIFYING REQUIREMENTS OF WHITE-FRINGED BEETLE QUARANTINE REGULATIONS

*Introductory note.* The following administrative instructions lift the certification requirements on a number of articles regulated by the quarantine on account of the white-fringed beetle (Quarantine No. 72) when they have been maintained under conditions that prevent them from becoming infested, and completely exempt certain other articles from the certification requirements. This action is considered safe because present conditions within the infested areas eliminate the danger of spreading infestations by such articles. These administrative instructions also specify the conditions under which soil and similar materials may be certified.

§ 301.72a *Administrative instructions—Modification of certification requirements for specified articles.* (a) Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of the white-fringed beetle quarantine, 7 CFR § 301.72 as revised effective March 15, 1947, 12 F. R. 1667 (Notice of Quarantine No. 72 on account of the white-fringed beetle) the certification requirements of §§ 301.72-4

and 301.72-5 of the regulations supplemental to said quarantine, revised effective March 15, 1947 (12 F. R. 1667) are hereby modified as to interstate movement of the following articles and materials enumerated in § 301.72-3 of said regulations:

(1) The following articles are exempt from the certification requirements of § 301.72-4:

(i) Cordwood.  
(ii) Seed cotton, cottonseed, baled cotton lint and linters.

(iii) Processed clay and crude clay for manufacturing purposes when handled to the satisfaction of the inspector.

(2) The following articles and materials are exempt from the certification requirements of § 301.72-4 when they are free from soil and when they have not been exposed to infestation or when sanitation practices are maintained as prescribed by or to the satisfaction of the inspector:

(i) Hay and straw, except that peanut hay is not exempt.

(ii) Uncleaned grass, grain, and legume seed.

(iii) Scrap metal and junk.

(iv) Forest products such as stump wood, logs, lumber, timbers, posts, poles, and cross ties.

(v) Brick, tile, stone, and cinders.

(vi) Concrete slabs, pipe, and building blocks.

(vii) Implements, machinery, equipment, and containers.

(3) Certification will still be required for the following articles and materials:

(i) All soil, sand, gravel, clay, peat, or muck, whether moved independently or in connection with, or attached to nursery stock, plants, products, articles, or things.

(ii) Compost, manure, moss, and leaf-mold.

(iii) Nursery stock.

(iv) Grass sod.

(v) Plant crowns or roots for propagation.

(vi) Potatoes (Irish) when freshly harvested.

(vii) True bulbs, corms, tubers, and rhizomes of ornamental plants, when freshly harvested or uncured.

(viii) Peanuts in the shell.

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(ix) Peanut hay.

(b) Certificates or master permits under § 301.72-5 may be issued for the interstate movement of the following materials under the conditions specified below:

(1) Soil, sand, gravel, clay, peat, or muck; when taken from a depth of at least 2 feet below the existing surface, and when entirely free from any surface soil to a depth of 2 feet.

(2) Sand and gravel, when washed, processed, or otherwise treated to the satisfaction of the inspector.

The purpose of this action is thus to relieve commerce in the articles exempted herein from restrictions heretofore imposed. In order to be of maximum benefit to the public, the relief from these restrictions must be made effective as soon as possible. Accordingly, compliance with the rule making procedure

of section 4 (a) of the Administrative Procedure Act (Public Law 404, 79th Cong., 60 Stat. 238) is impracticable and contrary to the public interest, and compliance with the publication requirement of section 4 (c) of that act is unnecessary.

This revision supersedes B. E. P. Q. 485, 14th revision, which became effective December 12, 1945 (7 CFR 1945 Supp. 301.72a).

These instructions shall be effective upon publication in the FEDERAL REGISTER and shall remain in effect until further modified or revoked.

(Sec. 8, 37 Stat. 313, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C. 161, 7 CFR 301.72, as revised effective March 15, 1947, 12 F. R. 1667)

Done at Washington, D. C., this 14th day of May 1947.

[SEAL] P. N. ANNIAND,  
Chief, Bureau of Entomology  
and Plant Quarantine.

[F. R. Doc. 47-4780; Filed, May 21, 1947; 8:49 a. m.]

## Chapter VIII—Production and Marketing Administration (Sugar Branch)

### PART 802—SUGAR DETERMINATIONS

#### FAIR AND REASONABLE WAGE RATES FOR 1947 CROP OF SUGAR BEETS

Pursuant to the provisions of section 301 (b) of the Sugar Act of 1937, as amended, the determination of "Fair and Reasonable Wage Rates for the 1947 Crop of Sugar Beets" issued March 18, 1947 (12 F. R. 1920) is hereby amended by changing footnote 1 of paragraph (b) (1) to read as follows: "Or seed containing 75% or more of single germs; or any other special processed seed if the average earnings per hour on fields planted with such processed seed are not less than the applicable hourly rate specified in paragraph (a) above."

(Sec. 301, 50 Stat. 909; 7 U. S. C. 1131)

Issued this 16th day of May 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

[F. R. Doc. 47-4779; Filed, May 21, 1947; 8:49 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Regs., Serial No. 330]

#### PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE CONTINENTAL LIMITS OF THE UNITED STATES

#### PART 42—NONSCHEDULED AIR CARRIER CERTIFICATION AND OPERATION RULES

#### PART 61—SCHEDULED AIR CARRIER RULES COMPLIANCE WITH AIR CARRIER FIRE PREVENTION REGULATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 14th day of May 1947.

Civil Air Regulations Amendments 41-3, 42-2, and 61-2 (11 F. R. 11353, 11354) made effective by the Board on November 1, 1946, prescribed certain fire preventive design changes on airplanes used in passenger air carrier service. The regulations now require that all airplanes used in passenger air carrier service and which are to undergo major overhaul of fuselage or wing center section after May 1, 1947, shall be modified according to amendments 41-3, 42-2, and 61-2. However, the air carriers have notified the Board that certain equipment and parts necessary for installation in compliance with these amendments are unavailable at the present time in sufficient quantity for initial installation and replacement during service. The Administrator has also advised the Board of this condition.

The Civil Aeronautics Board finds that temporary lack of certain equipment and parts required for compliance with Civil Air Regulations amendments Numbers 41-3, 42-2, and 61-2 would force air carriers to take some of their presently operating airplanes out of passenger service after May 1, 1947; that the air carriers have endeavored to obtain all necessary equipment and parts in order to comply with the pertinent requirements; that, notwithstanding the lack of certain equipment and parts, the fire preventive measures of amendments 41-3, 42-2, and 61-2 will be complied with, except with respect to those provisions for which the air carriers have been unable to obtain equipment or parts and have notified the Administrator accordingly; that such provisions will be complied with as soon as practicable after receipt by the air carriers of the necessary equipment and parts; and that for the reasons stated compliance with the notice and procedures required by paragraphs (a) and (b) of section 4 of the Administrative Procedure Act is impracticable, and a delay in the promulgation of this special regulation would not be in the public interest.

Now, therefore: Effective May 14, 1947, compliance with the provisions in Civil Air Regulations Amendments 41-3, 42-2, and 61-2 shall not be required in those instances where the air carrier notifies the Administrator and shows that there exists a lack of equipment or parts necessary for compliance with specific provisions contained in these amendments. However, when such equipment or parts become available the air carrier shall comply with the pertinent provisions as soon thereafter as practicable. This Special Civil Air Regulation and the privileges granted thereby shall terminate November 1, 1947.

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,  
Secretary.

[F. R. Doc. 47-4787; Filed, May 21, 1947; 8:50 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission (Docket No. 5292)

#### PART 3—DIGEST OF CEASE AND DESIST ORDERS

CHARLES A. GEARING

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (1) *Advertising falsely or misleadingly—Free goods or service:* § 3.72 (e) *Offering deceptive inducements to purchase or deal—Free goods.* In connection with the offering for sale, sale and distribution of flags and banners in commerce, (1) representing that respondent's products are made of silk, unless they are in fact made of such material; (2) representing that the fringes on said products are made of gold; or (3) using the term "free" or "gift" or any other term of similar import, to designate, describe, or refer to any product the price of which is included in the price of other products; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Charles A. Gearing, Docket 5292, March 26, 1947]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 26th day of March A. D. 1947.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondent, testimony and other evidence introduced before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner, and briefs in support of and in opposition to the complaint (oral argument not having been requested) and the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Charles A. Gearing, and his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of flags and banners in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing that respondent's products are made of silk, unless they are in fact made of such material.
2. Representing that the fringes on said products are made of gold.
3. Using the term "free" or "gift", or any other term of similar import, to designate, describe, or refer to any product the price of which is included in the price of other products.

It is further ordered, That said respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 47-4786; Filed, May 21, 1947; 8:46 a. m.]

## TITLE 26—INTERNAL REVENUE

### Chapter I—Bureau of Internal Revenue, Department of the Treasury

#### Subchapter C—Miscellaneous Excise Taxes (T. D. 5562)

#### PART 101—TAXES ON ADMISSIONS, DUES, AND INITIATION FEES

In order to conform Regulations 43 (26 CFR, Part 101) relating to the taxes on admissions, dues, and initiation fees under the provisions of the Internal Revenue Code, to the Excise Tax Act of 1947 (Public Law 17, 80th Congress, 1st Session) approved March 11, 1947, such regulations are hereby amended as follows:

PARAGRAPH 1. The words appearing in parenthesis in the heading beginning "Part 101" immediately preceding "Subpart A—Introductory," as amended by Treasury Decision 5385, approved June 30, 1944, are further amended to read as follows: "(Chapter 10 of the Internal Revenue Code as Amended by the Revenue Acts of 1941 and 1942; and Chapter 9A of the Internal Revenue Code as Amended by the Revenue Act of 1943, the Public Debt Act of 1944, and the Excise Tax Act of 1947)"

PAR. 2. The first sentence of the first paragraph of § 101.0 *Scope of part*, as amended by Treasury Decision 5385, is further amended by striking out the word "and" immediately preceding "the Public Debt Act of 1944," changing the period at the end of the sentence to a comma and adding immediately thereafter the following: "and the Excise Tax Act of 1947."

PAR. 3. Immediately following the quotation of section 1655 inserted by Treasury Decision 5349, approved March 17, 1944, under "Definitions" in "Subpart B—General Provisions" there is inserted the following:

#### SEC. 3. EXCISE TAX ACT OF 1947.

Sections \* \* \* 1655 (definition of "date of the termination of hostilities in the present war") of such Code are hereby repealed.

PAR. 4. Section 101.1, *Effective period*, as amended by Treasury Decision 5385, is further amended as follows:

(A) By changing the third sentence of the second paragraph to read as follows: "The amendments made by the Revenue Act of 1941, and all subsequent amendments relative to these taxes including, by reason of sections 2 and 3 of the Excise Tax Act of 1947, the amendments made by the Revenue Act of 1943, as amended by the Public Debt Act of 1944, apply indefinitely."

(B) By changing the first sentence of the third paragraph to read as follows: "The effective date of the amendments made by the Revenue Act of 1943, and of the amendments of these regulations pursuant to the Revenue Act of 1943, is April 1, 1944."

PAR. 5. Immediately preceding each of the following sections, i. e., § 101.2, § 101.7, § 101.9, § 101.13, and § 101.22, there is inserted the following:

#### SEC. 2. EXCISE TAX ACT OF 1947.

Section 1650 of the Internal Revenue Code (war tax rates of certain miscellaneous taxes)

is hereby amended by striking out "and ending on the first day of the first month which begins six months or more after the date of the termination of hostilities in the present war"

(Sec. 3791 of the Internal Revenue Code (53 Stat. 467; 26 U. S. C. 3791))

Because of the technical nature of the amendments made herein, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

[SEAL] WM. T. SHERWOOD,  
Acting Commissioner of  
Internal Revenue.

Approved: May 16, 1947.

JOSEPH J. O'CONNELL, Jr.,  
Acting Secretary of the Treasury.

[F. R. Doc. 47-4786; Filed, May 21, 1947; 8:46 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VII—Sugar Rationing Administration, Department of Agriculture

[Gen. Order 4]

#### PART 705—ADMINISTRATION

#### CHANGING REFERENCES TO SPECIFIED OFFICIALS AND OFFICES IN CERTAIN DOCUMENTS DEALING WITH PRICE CONTROL OF SUGAR AND RICE AND RATIONING OR ALLOCATION OF SUGAR

A statement of the considerations involved in the issuance of this order has been issued simultaneously herewith and filed with the Division of the Federal Register.

§ 705.104 *Order changing references in certain documents to specified officials and offices.* (a) This general order applies to all maximum price regulations, ration orders, procedural regulations, general orders, supplementary orders, manuals or other internal operating instructions, and other official documents (hereinafter referred to as regulations and orders) heretofore issued by the Office of Price Administration or by the Office of Temporary Controls, and which were in effect on March 31, 1947, insofar as price control and rationing or allocation of sugar are concerned, and which were in effect on May 4, 1947, insofar as price control of rice is concerned. All such regulations and orders which contain references to the Office of Price Administration or the Office of Temporary Controls, or to officials or offices of these agencies as listed in Column A, shall be construed, insofar as they relate to price control of sugar and rice or to rationing or allocation of sugar, to refer to the Sugar Rationing Administration, Department of Agriculture, or to the officials or offices of the Department of Agriculture or of the Sugar Rationing Administration as listed in Column B, whichever is appropriate.

Column A	Column B
<ol style="list-style-type: none"> <li>1. Price Administrator, Administrator.</li> <li>2. Temporary Controls Administrator.</li> <li>2. Deputy Commissioner for Sugar, Director of the Sugar Rationing Division, Commissioner.</li> <li>3. Deputy Commissioner for Enforcement, Deputy Administrator for Enforcement.</li> <li>4. Director, Litigation Division.</li> <li>5. General Counsel.</li> <li>6. Secretary, Office of Price Administration, Office of the Secretary, Office of Price Administration.</li> <li>7. Regional Administrator.</li> <li>8. Regional Enforcement Executive, Regional and District Enforcement Attorney, Regional Litigation Attorney.</li> <li>9. Regional Attorney.</li> <li>Regional Price Attorney.</li> <li>10. District Director, Sugar Branch Office Director.</li> <li>11. Washington Office, National Office, National Office of Office of Price Administration.</li> <li>12. Regional Office, Regional Office of Office of Price Administration.</li> <li>13. District Office, District Office of Office of Price Administration, Sugar Branch Office, Sugar Branch Office of Office of Price Administration.</li> </ol>	<ol style="list-style-type: none"> <li>1. Secretary of Agriculture.</li> <li>2. Administrator, Sugar Rationing Administration.</li> <li>3. Director, Enforcement Division, Sugar Rationing Administration.</li> <li>4. Chief, Litigation Branch, Enforcement Division, Sugar Rationing Administration.</li> <li>5. General Counsel, Sugar Rationing Administration.</li> <li>6. Registrar, Sugar Rationing Administration.</li> <li>7. Regional Sugar Executive, Sugar Rationing Administration.</li> <li>8. Enforcement Executive, SRA Field Enforcement Office.</li> <li>9. Regional Sugar Attorney, Sugar Rationing Administration.</li> <li>10. Director, SRA Branch Office.</li> <li>11. Washington Office of Sugar Rationing Administration, Department of Agriculture.</li> <li>12. SRA Regional Office.</li> <li>13. SRA Branch Office.</li> </ol>

(b) All of the authority, rights, privileges, powers, duties and functions relating to price control of sugar and rice or to rationing or allocation of sugar, which the regulations and orders referred to in paragraph (a) delegated to or vested in the designated officials or offices of the Office of Price Administration or the Office of Temporary Controls as listed in Column A of paragraph (a) are hereby vested in or delegated to the appropriate official or office of the Department of Agriculture or Sugar Rationing Administration as listed in Column B of that paragraph.

(c) If any of the regulations or orders referred to in paragraph (a) have been amended heretofore to make the same change in reference to specified officials or offices as made by that paragraph, to that extent this order shall not apply to such regulations or orders, nor shall it apply to any regulations or orders which have been superseded heretofore by other regulations or orders issued by the Secretary of Agriculture or by the Sugar Rationing Administration. In addition this order shall cease to apply to any regulation or order which is amended hereafter to accomplish the changes made effective by this order or which is hereafter superseded by an order or regulation issued by the Secretary of Agriculture or by the Sugar Rationing Administration.

(d) The changes made by paragraph (a) shall not be deemed to authorize the Regional Sugar Executive of Region 4 to issue any orders establishing, modifying or adjusting maximum prices of any commodity or to direct formulation of any price policy. With respect to such matters in that region, the references in paragraph (a) to Regional Sugar Executive shall be deemed to be references to the Deputy Regional Sugar Executive.

(e) The terms used herein shall have the same meaning as used in the Sugar Control Extension Act of 1947, and Executive Order 9841.

(Pub. Law 30, 80th Cong., 1st Sess., E. O. 9841 (12 F. R. 2645))

This order shall become effective May 15, 1947.

Issued this 15th day of May 1947.

[SEAL] CLINTON P. ANDERSON,  
Secretary of Agriculture.

*Statement of the Considerations Involved in the Issuance of General Order 4*

By the Sugar Control Extension Act of 1947 and Executive Order 9841 there were transferred to the Secretary of Agriculture all functions with respect to price control and rationing and allocation of sugar, and price control on rice, effective March 31, 1947, and May 4, 1947, respectively. The Secretary of Agriculture has delegated his functions in regard to these matters to the Sugar Rationing Administration in the Department of Agriculture. The Sugar Control Extension Act and the Executive Order also continued in effect all orders, directives, rules or regulations relating to the transferred functions, which were issued by any officer, department or agency heretofore performing such functions and which were in force on the effective dates of the transfers of functions. In many of these regulations, orders and other documents, reference is made, or authority is delegated to designated officials or offices of the Office of Price Administration or the Office of Temporary Controls.

It is not administratively feasible at this time to individually amend or re-issue each such document to reflect the transfers of these functions. Accordingly, it is deemed appropriate to issue this General Order providing that all such regulations and orders, insofar as they relate to the powers, functions or duties with respect to price control of sugar and rice and with respect to rationing or allocation of sugar, should now be construed to refer to the appropriate officials or offices of the Department of Agriculture and the Sugar Rationing Administration.

[F. R. Doc. 47-4848; Filed, May 21, 1947; 11:52 a. m.]

[3d Rev. RO 3, Amdt. 47]

PART 707—RATIONING OF SUGAR

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Third Revised Ration Order 3 is amended in the following respects:

1. A new Article XXIV is added to read as follows:

o ARTICLE XXIV—REVOCATION OF BASE PROCEDURE

Sec. 24.1 *Procedure to be followed before a base may be revoked.* (a) A Sugar Branch Office, after giving a notice and a hearing, or an opportunity for a hearing, as provided in this section, may revoke the base of any person under the provisions of section 1.6 of Revised General Ration Order 18 or section 3.2 of General Ration Order 19.

(b) Before issuing an order under the provisions of this section, the Sugar Branch Office shall comply with the following procedure:

(1) The Sugar Branch Office shall give notice of a hearing to the person (hereinafter called the respondent) against whom the proceedings are instituted at least 3 days before the date set for the hearing.

(2) The notice shall set forth the date, time, place and purpose of the hearing and a specification of the facts on which the proposed revocation is based.

(3) The hearing shall be conducted by the Sugar Branch Office Director as Presiding Officer or by such other officer or employee of the Sugar Rationing Administration as may be designated by the Sugar Branch Office Director as Presiding Officer. The respondent shall have the right to be represented by his own counsel; the rules of evidence prevailing in courts of law or equity shall not be controlling; and a stenographic report of the hearing shall be taken. The stenographic report of the hearing need not be transcribed unless it is requested by one of the parties to the proceeding.

(4) If, after the hearing, or after the respondent's failure to appear at the hearing, the Presiding Officer finds that the charges, as set forth in the specification, are proved, an order revoking the respondent's base shall be issued. A copy of the order shall be served promptly on the respondent personally or by mail directed to his last known address.

(c) No order, issued pursuant to the provisions of this section shall become effective less than five days after the service of such order on the respondent.

(d) Any person, against whom an order has been issued by a Presiding Officer under the provisions of this section, may appeal from such order in accordance with the provisions of Article XXIII of this order.

(e) Nothing in this section shall be considered to waive or exclude any other action which may be taken by the

11 F. R. 177, 14231.

Sugar Rationing Administration with respect to any violations by an industrial or institutional user of this or any other order.

This order shall become effective May 21, 1947.

Issued this 14th day of May 1947.

[SEAL] N. E. DODD,  
Acting Secretary of Agriculture.

*Rationale Accompanying Amendment No. 47 to Third Revised Ration Order 3 and Amendment No. 6 to Revised General Ration Order 18*

**Proposed amendments.** These amendments set up a procedure which must be followed before an order revoking the base of any person under the provisions of section 1.6 of Revised General Ration Order 18 or section 3.2 of General Ration Order 19 may be issued. The provisions outlining the procedure under which a notice and a hearing, or an opportunity for a hearing, must be given to a user before his base may be revoked are incorporated in the amendment to Third Revised Ration Order 3 and a cross-reference to such procedure is contained in the amendment to Revised General Ration Order 18.

**Reason for amendments.** These amendments are being issued in order to insure that a uniform procedure is followed in all cases before an order revoking the base of any person is issued. The procedure adopted in the amendment to Third Revised Ration Order 3 adequately protects the rights of any user by affording such user a hearing, or an opportunity for a hearing, on the issues involved before his base is revoked.

[F. R. Doc. 47-4850; Filed, May 21, 1947; 11:53 a. m.]

[Rev. Gen. RO 18, 1<sup>st</sup> Amdt. 6]

#### PART 705—ADMINISTRATION

##### DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 1.6 (a) of Revised General Ration Order 18 is amended to read as follows:

(a) If at any time within a year after a base is granted under this article any of the following things are done, the Sugar Branch Office may revoke such base after a notice and hearing, or opportunity for a hearing, has been given in accordance with the procedure set forth in Article XXIV of Third Revised Ration Order 3:

(1) Sugar or evidences obtained with respect to that base is transferred (told) to another person for industrial or institutional use;

(2) The facts stated in section 1.4 (a), (c) or (d) cease to be true;

(3) The establishment is sold or otherwise transferred except as provided in section 4.1 of this order.

<sup>1</sup> 11 F. R. 7580, 10215.

This amendment shall become effective May 21, 1947.

Issued this 14th day of May 1947.

[SEAL] N. E. DODD,  
Acting Secretary of Agriculture.

[F. R. Doc. 47-4849; Filed, May, 21, 1947; 11:52 a. m.]

## TITLE 34—NAVY

### Chapter I—Department of the Navy

#### PART 26—ORGANIZATION AND FUNCTIONS OF THE NAVAL ESTABLISHMENT

#### PART 27—PROCEDURES OF THE NAVAL ESTABLISHMENT

##### MISCELLANEOUS AMENDMENTS

The following changes are authorized to amend the regulations relating to the organization and functions of the Naval Establishment (11 F. R. 177A-159)

1. Amend § 26.1 (c) to read as follows:

§ 26.1 *Creation and authority.* \* \* \*

(c) The present organization and distribution of functions within the Naval Establishment is derived generally from Executive Order No. 9635 dated September 29, 1945 (10 F. R. 12419). The organization and distribution of functions is further outlined in General Order No. 247 dated February 10, 1947, entitled "Policies and Principles Governing the Distribution of Authority and Responsibility for the Administration of the Naval Establishment." Copies of General Orders are available for inspection at the Navy Department, Washington, D. C., and at the offices of each of the naval districts.

2. Delete §§ 26.2, 26.3 and 26.4 and substitute the following:

§ 26.2 *The Naval Establishment.* The Naval Establishment consists of three principal parts:

(a) The Operating Forces are the several fleets, seagoing forces, sea frontier forces, district forces, and such of the shore establishment of the Navy and other forces and activities as may be assigned to the operating forces by the President or Secretary of the Navy.

(b) The Navy Department, the executive part of the Naval Establishment located at the seat of the government, which comprises the bureaus, boards and offices of the Navy Department; the Headquarters of the Marine Corps; and the Headquarters of the Coast Guard (when assigned to the Navy)

(c) The Shore Establishment, which comprises all other activities of the Naval Establishment including all shore activities not assigned to the Operating Forces. [General Order 247, February 10, 1947]

§ 26.3 *The Navy Department.* The executive part of the Naval Establishment, the Navy Department, is organized in terms of its functions which are best understood by reference to the statement of fundamental naval policy: "To maintain the Navy as a thoroughly integrated entity in sufficient strength on the sea and in the air to uphold, in conjunction with our other Armed Forces, our national policies and inter-

ests, to support our commerce and our international obligations, and to guard the United States including its overseas possessions and dependencies" (General Order No. 247 dated February 10, 1947) From this fundamental policy evolve four basic tasks or functions, the responsibility for which has been distributed within the Navy Department. These tasks or functions are policy control, naval command, logistics administration and control, and business administration.

(a) *The Secretary.* The Naval Establishment is subject to the direction and control of the President of the United States, as Commander-in-Chief. The immediate direction and control, however, are exercised by the Secretary of the Navy acting as the representative of the President. The Secretary retains the general responsibility for supervision of all naval affairs while delegating certain responsibilities to his naval and civilian executive assistants. The Secretary retains direct control of policy and communicates directly with all principal officials and officers of the Naval Establishment, as necessary or desirable, remaining available for direct consultation by such officials and officers. In the formulation and administration of naval policies, the Secretary avails himself of the advice and assistance of his principal executive assistants: (1) The Civilian Executive Assistants; (2) the Naval Command Assistant; and (3) the Naval Technical Assistants.

(b) *The Naval Command Assistant.* (1) The second of the four basic tasks or functions of the Navy Department is that of Naval Command, which has been assigned to the Naval Command Assistant, whose official title is The Chief of Naval Operations, and who acts as the principal adviser to the President and to the Secretary of the Navy on the conduct of war, and the principal naval adviser and naval executive to the Secretary of the Navy on the conduct of the activities of the Naval Establishment, all as provided in Executive Order No. 9635 dated September 29, 1945 (10 F. R. 12419). Naval Command includes command of the Operating Forces and the maintenance of such Forces in a state of readiness to conduct war. In the accomplishment of the foregoing, the Chief of Naval Operations is responsible under the Secretary of the Navy for the command and administration of the Operating Forces, for the preparation, readiness and logistics support of such Forces, and for the coordination and direction of efforts of the bureaus and offices of the Navy Department with respect to the foregoing. In the discharge of these responsibilities, the Chief of Naval Operations promulgates to the Naval Establishment directives embracing matters of operations, security, intelligence, communications, naval personnel discipline and similar matters affecting the naval maintenance and protection of the Naval Establishment.

(2) The third task in implementing fundamental naval policy, namely, that of Logistics Administration and Control, involves two distinct elements, the logistics of consumption, i. e., the planning, forecasting, determining and distribut-



ing of the requirements of the Operating Forces, and the logistics of production, i. e., the development, procurement, and production of the material and personnel required to meet the requirements of the Operating Forces. Although the two elements are interrelated and represent a continuous "cause and effect" relationship, it has been necessary, in the interest of efficient, orderly administration, to divide the responsibility for Logistics Administration and Control between the Chief of Naval Operations and the Civilian Executive Assistants aided by the Naval Technical Assistants. Accordingly, there has been delegated to the Chief of Naval Operations responsibility over the following:

(i) Planning and forecasting the needs of the Operating Forces for finished material, trained personnel and supporting services.

(ii) Issuing statements of these requirements—in terms of what is needed, when it is needed and where it is needed—to the bureaus and offices of the Navy Department, and, through them, to the Shore Establishment. This responsibility encompasses the determination of naval characteristics for material to be procured or developed, and the determination of the training and instruction required to fit naval personnel and commands for service with the Operating Forces.

(iii) Reviewing and evaluating the progress of the bureaus and offices and of the Shore Establishment in fulfilling these requirements, and issuing such instructions as may be required to assure the requirements are met.

(iv) Collaborating with the Civilian Executive Assistants in expediting fulfillment of these requirements, in evaluating and strengthening the policies and procedures governing the determination of stock levels and replenishment requirements, and in the administration of inventory control systems.

(c) *The Civilian Executive Assistants.* The fourth task or function of the Navy Department, Business Administration, and that portion of logistics administration and control not assigned to the Naval Command Assistant are delegated to the Civilian Executive Assistants to the Secretary. These Civilian Executive Assistants are the Under Secretary, the Assistant Secretary, the Assistant Secretary for Air, and the Administrative Assistant to the Secretary.

(1) *The Under Secretary.* The Under Secretary, who is appointed by the President by and with the advice and consent of the Senate and who under present law (54 Stat. 494; 5 U. S. C. 421b) serves during a national emergency only, has been delegated the responsibility in accordance with law and executive orders for: The responsibility for Military Personnel Boards; legislative and legal matters of the Naval Establishment, except such matters as are assigned to the Assistant Secretary; and immediate supervision of the activities of the Executive Office of the Secretary listed under § 26.4 (c).

(2) *The Assistant Secretary.* The Assistant Secretary, appointed by the President by and with the advice and consent of the Senate (26 Stat. 254; 5 U. S. C. 420) has been delegated the responsi-

bility, in accordance with law and executive orders, for that part of the Logistics Administration and Control of the Naval Establishment which relates to the promulgation of policies and general procedures and legal determinations governing (i) the procurement, production and utilization of matériel and facilities; the procurement, administration and utilization of civilian personnel; and (ii) the determination of stock levels and replenishment requirements in collaboration with the Chief of Naval Operations, and the administration of inventory control systems; and immediate supervision of the activities of the Executive Office of the Secretary listed under § 26.4 (d). The Assistant Secretary also is responsible for the presentation of the Navy's procurement requirements to other governmental agencies controlling the availability of products, materials and facilities.

(3) *The Assistant Secretary for Air.* The Assistant Secretary for Air, appointed by the President by and with the advice and consent of the Senate (44 Stat. 767; 5 U. S. C. 421a) has been delegated the responsibility, in accordance with law and Executive orders, for all matters of the Naval Establishment relating to aeronautics (except as otherwise assigned to the Under Secretary and the Assistant Secretary), including the coordination of naval aeronautics with other governmental agencies; the correlation and programming of matériel research, experimental, test and development activities. In this connection, he supervises the Navy's participation on the Aeronautical Board and the Air Coordinating Committee (under § 26.4 (e) (1) and § 26.4 (e) (2)).

(4) *The Administrative Assistant to the Secretary of the Navy.* The Administrative Assistant to the Secretary of the Navy, appointed by the Secretary, has been delegated the responsibility in accordance with law and Executive orders for the following part of the business administration of the Naval Establishment: Responsibility for general supervision of the accounts relating to the fiscal affairs of the Naval Establishment, including the expenditure and budgeting of funds; and the responsibility for matters of organization, staffing, administrative procedures, and the utilization of personnel in the Executive Office of the Secretary; and immediate supervision of the activities of the Executive Office of the Secretary listed under § 26.4 (f).

(d) *Naval Technical Assistants.* The Naval Technical Assistants are the chiefs of bureaus, the Chief of Naval Research, the Chief of the Material Division, the Judge Advocate General, and the Commandant of the Marine Corps, and the Commandant of the Coast Guard (when assigned to the Navy) who are directly responsible for the discharge of all the duties assigned to their respective organizations, in accordance with the orders and directives of the Secretary, the Civilian Executive Assistants, and the Chief of Naval Operations; and are the technical advisers and assistants, in their special fields, to the Secretary, the Civilian Executive Assistants and the Chief of Naval Operations. In pursuance of the foregoing, the Naval Technical As-

sistants are immediately responsible, within the limits of their respective cognizance, for:

(1) The research in, and the development, procurement, production, utilization, and distribution of, material and facilities.

(2) The procurement, training, and administration, and assignment of personnel.

(3) The operation of all activities under their cognizance.

(4) The sound and legal expenditure of funds appropriated for the performance of their work, including the preparation of estimates for funds required to carry out approved plans and directives.

The Naval Technical Assistants perform these responsibilities through the organization of their respective bureaus and offices, which are described in detail in § 26.6 through § 26.13b, inclusive.

Note: The discussion above has outlined in general terms the over-all organization of the Naval Establishment. A more detailed presentation of certain of its component parts is presented below.

§ 26.4 *Executive Office of the Secretary.* (a) To assist the Secretary and the Civilian Executive Assistants in the discharge of their functions and responsibilities, various Offices, Committees, Boards and Divisions have been created, which are directly responsible to and which act for the Secretary and his Assistants and which collectively constitute the Executive Office of the Secretary. Such Boards, Offices, Committees and Divisions generally assist the Secretary and such Assistants in the formulation of policy and in administration, and discharge for the Secretary and such Assistants specific functions as are from time to time assigned.

(b) *Boards, offices and committees under the direct supervision of the Secretary.*—(1) *General Board of the Navy.* The General Board was established March 13, 1900. It acts in an advisory capacity to the Secretary of the Navy. Its composition and duties are set forth in the U. S. Navy Regulations, 1920, Art. 393, par. 4, and Arts. 400-404, inclusive.

(2) *Joint Army and Navy Board (Navy participation).* The Joint Board, which was organized July 17, 1903, is composed of ranking officers of both War and Navy Departments. Any matters which, to either the War Department or the Navy Department, seem to require cooperation between the two services, may be referred by that Department to the Joint Board. It may also originate such consideration of subjects as, in its judgment, is necessary. The Board confers upon, discusses, and reaches such common conclusions as may be practicable. Since the beginning of World War II, most of the functions of the Joint Board have been performed by the Joint Chiefs of Staff.

(3) *Joint Economy Board (Navy participation).* The Joint Economy Board, organized May 13, 1935, is charged with the responsibility of investigating and reporting on economies which can be effected from time to time, without loss of efficiency, by eliminating duplication and simplifying functions in those activities of the War and Navy Departments concerned with joint operations

of the two services or which have approximately parallel functions.

(4) *Joint Chiefs of Staff (Navy participation)* The Joint Chiefs of Staff came into being as a result of the organization of the Combined Chiefs of Staff (British and United States Chiefs of Staff) on February 9, 1942. The Chief of Staff to the Commander in Chief of the Army and Navy, the Chief of Naval Operations; the Chief of Staff, U. S. Army; and the Commanding General, Army Air Forces, comprise the Joint Chiefs of Staff. Under the direction of the President the Joint Chiefs of Staff consult together on matters of joint concern to the armed forces, advise the President as to their use, take appropriate action to implement his plans and policies as Commander in Chief of the Army and Navy, and coordinate the military efforts of the Army and the Navy.

(5) *Office of Public Relations.* The mission of the Office of Public Relations is to keep the public informed of the activities of the Navy as an instrument of national security. Its functions are to advise the Secretary of the Navy on policies relative to public relations and the dissemination of information; to initiate, coordinate and develop channels between the Navy and the public for the accomplishment of its mission; to stimulate public interest in naval activities by liaison with civilian organizations, and to coordinate and prepare for posterity historical accounts of the activities of the Navy and Marine Corps.

The Office of Public Relations is comprised of

Public Information Division.  
Civil Relations Division.  
Naval History Division.

(6) *The Patent Royalty Revision Board.* (i) The Royalty Adjustment Act of 1942 (35 U. S. C. 89-96) provides that whenever an invention, whether patented or unpatented, is manufactured, used, sold, or otherwise disposed of for the United States (in this case, the Navy Department) under the conditions set forth in the act, and the license under which this is done includes provisions for the payment of royalties, the rates or amounts of which are believed to be unreasonable or excessive by the Secretary of the Navy or his duly authorized delegate, the Secretary or such delegate shall give written notice of such facts to the licensor and the licensee. The act further provides that within a reasonable time after the effective date of the notice, in no event less than ten days, the Secretary of the Navy or his authorized delegate by order shall fix and specify such rates or amounts of royalties, if any, as he shall determine are fair and just, taking into account the conditions of wartime production, and shall authorize the payment thereof by the licensee to the licensor on account of such manufacture, use, sale, or other disposition. Either the licensor or the licensee is privileged, if he so requests within ten days from the effective date of the notice, to present within 30 days from the date of his request, in writing or in person, any facts or circumstances which may, in his opinion, have a bearing upon the rates or amounts of royalties, if any, to

be determined, fixed and specified as aforesaid and the order fixing such rates and amounts of royalties shall be issued within a reasonable time after such presentation. The written notice shall be mailed to the last known address of the licensor and the licensee and shall be effective upon receipt, or five days after the mailing thereof, whichever date is earlier. The licensee is forbidden after the effective date of the notice to pay to the licensor or to charge directly or indirectly to the United States, a royalty in excess of that specified in the order. Certain provisions of the act grant an aggrieved licensor remedies which, in general, limit him to a claim against the United States in a suit in the Court of Claims, or in certain instances to a suit brought in a District Court of the United States.

(ii) Pursuant to the provisions of this act the Secretary of the Navy by letter dated March 1, 1943, as amended by letter dated January 2, 1946, established in the Navy Department a Patent Royalty Revision Board which is composed of a chairman and seven members selected and appointed by the Secretary of the Navy to serve for such terms as the Secretary shall designate. Any three members designated by the chairman may act in any matters as and for the entire Board.

(iii) The following powers were delegated to the Board by the Secretary of the Navy:

(a) To receive and hear such facts or circumstances as may be presented in writing or in person at a hearing held pursuant to section 1 of the act.

(b) To fix and specify by the order, in accordance with Section 1 of the Act, fair and just rates or amounts of royalties and to authorize the payment thereof by the licensee to the licensor. To supplement, modify, or revoke any order heretofore or hereafter issued. Such order, or any supplement, modification, or revocation of any such order may be executed on behalf of the Board by the Chairman or by a member of the Board designated by the Chairman.

(iv) In addition, the Secretary of the Navy delegated the following powers to the Chairman of the Board or to any member of the Board designated by the Chairman:

(a) To execute and issue written notice to licensor and licensee pursuant to the provisions of section 1 of the act, and to withdraw any notice heretofore or hereafter issued under said section.

(b) To enter into and execute agreements with the owners or licensors of inventions or with contractors and subcontractors by the terms of which unreasonable or excessive rates or amounts are reduced to reasonable or unexcessive rates or amounts.

(c) To enter into and execute an agreement before suit against the United States has been instituted with the owner or licensor of an invention in full settlement and compromise of any claim against the United States accruing to such owner or licensor by reason of the manufacture, use, sale, or other disposition referred to in the act and for compensation to be paid such owner or licensor based upon future manufacture,

use, sale, or other disposition of such invention.

(d) To supplement, modify, or revoke any order, heretofore or hereafter issued, as a term of an agreement entered into under § 26.4 (b) (6) (iv) (b) or (c)

(v) In directing that bureau assistance be given, the Secretary of the Navy accorded to the Chief of each Bureau or the Commandant of the Marine Corps the right to conduct voluntary negotiations where it had been determined, after investigations, that excessive rates or amounts of royalties were being paid and empowered such officers to enter into and sign agreements of settlement and compromise embodying the terms of such negotiations, subject, however, to the approval of such agreements by the Secretary of the Navy. Should such officers fail to successfully conclude negotiations within a reasonable time, or should they desire not to conduct such negotiations, then they should transmit promptly to the Patents & Inventions Division, of the Office of Naval Research written reports reciting the facts and circumstances surrounding an alleged unreasonable or excessive royalty.

(vi) Any question of unreasonable or excessive royalty coming before the Price Adjustment Board should be referred to the Patent Royalty Revision Board for determination and all findings of the latter Board as to the reasonableness of royalties shall be binding on the Price Adjustment Board.

(7) *War Contracts Relief Board—(1) Jurisdiction.* The War Contracts Relief Board was established on April 3, 1947, directly under the Secretary of the Navy with jurisdiction, under the provisions of the act of August 7, 1946 (60 Stat. 902) and Executive Order No. 9786 of October 5, 1946 to consider, adjust and settle equitable claims of contractors, including subcontractors and materialmen performing work or furnishing supplies or services to the contractor or another subcontractor, for losses (not including diminution of anticipated profits) incurred between September 16, 1940 and August 14, 1945 under contracts or subcontracts of any department or agency of the Government, without fault or negligence on their part in the performance of such contracts or subcontracts.

As constituted, the Board is the designated central authority within the Navy Department, with power to consider, adjust and settle such claims and to make or approve the settlement of any such claim in each case in which the Navy Department is the war agency considering the claim pursuant to the Executive order. The Board also has the authority to grant in whole or in part, or to withhold, for the Navy Department, approval of that part of any proposed settlement by any other agency considering a claim which relates to contracts or subcontracts of the Navy Department and to make any and all determinations and findings for the Navy Department required by the act and the Executive order with respect to each claim filed thereunder.

Except for any reconsideration which the Board may in its discretion grant, any approval, finding, determination or settlement by the Board shall be final



subject only to the provisions of section 6 of the act.

(ii) *Organization.* The Navy Department War Contracts Relief Board consists of three part-time members, appointed from time to time by the Secretary of the Navy. The Chairman of the Board is appointed to such capacity by the Secretary of the Navy. A majority of the members of the Board may at any time constitute a quorum thereof for the transaction of business. The Board shall be assisted by a recorder who shall attend all meetings of the Board and prepare and maintain an official minute record of its activities. The Board shall be further assisted by a staff of analysts, headed by a chief analyst to be appointed by the Board from among personnel of the Material Division, Office of the Assistant Secretary of the Navy.

The Board shall refer all questions of interpretation in respect to either the act or the Executive order to the Office of the General Counsel for the Navy Department, which office shall provide the Board with all necessary legal advice and assistance.

The rules and regulations pertaining to the claims for relief by contractors which formerly appeared under Part 29 (12 F. R. 409) are cancelled and superseded by § 27.19 of this chapter which will appear in the FEDERAL REGISTER of May 23, 1947.

(c) *Boards, offices, committees and divisions under the direct supervision of the Under Secretary—*(1) *Office of the Judge Advocate General.* The Office of the Judge Advocate General is under the direct supervision of the Under Secretary of the Navy. The organization and functions of this Office are described in § 26.13.

(2) *Naval Clemency and Prison Inspection Board.* The Naval Clemency and Prison Inspection Board, convened by precept of the Acting Secretary of the Navy, of August 27, 1943, considers applications of naval prisoners for clemency and for restoration to duty. The Board makes recommendations to the Secretary of the Navy on such applications and on matters relating to the treatment of naval prisoners and to naval discipline. Members of the Board make frequent inspections of naval prisons, detention barracks, and brigs, and recommendations upon the organization and conduct of such activities are submitted.

(3) *State-War-Navy Coordinating Committee (Navy participation)* The State-War-Navy Coordinating Committee, organized February 10, 1945, is charged with coordinating the view of the three departments on politico-military matters in which all have a common interest. Particular attention is paid to correlation of national policy with foreign policy.

(4) *Board of Review, Discharges and Dismissals.* The Navy Department Board of Review, Discharges and Dismissals, was established by precept dated July 22, 1944, pursuant to section 301 of the Servicemen's Readjustment Act of 1944, approved June 22, 1944 (58 Stat. 286; as amended 50 U. S. C. 693), for the purpose of reviewing discharges and dismissals

(except discharges and dismissals imposed as a result of sentences of general courts martial) of former personnel of the Navy and the Marine Corps to determine whether such discharges and dismissals were in conformity with reasonable standards of naval law and discipline, and where appropriate, to make recommendations to the Secretary of the Navy for modification.

(5) *Naval Retiring Board.* The Naval Retiring Board, organized pursuant to the act of August 3, 1861, as amended (34 U. S. C. 381, et seq.), conducts the examinations of such officers of the line and staff corps of the U. S. Navy, Naval Reserve, Marine Corps, and Marine Corps Reserve as may be ordered to appear before it, or whose case may be referred to it by the Secretary of the Navy, to determine their physical fitness to perform all of the duties appropriate to their respective ranks or grades (commonly referred to as examinations for physical incapacity retirements)

(6) *Naval Retiring Review Board.* The Naval Retiring Review Board, organized September 6, 1944, pursuant to section 302 (a) of the Servicemen's Readjustment Act of 1944 (58 Stat. 287; 38 U. S. C. 693) was established for the purpose of reviewing and reporting on the findings and decision of any naval retiring board by reason of which any naval officer is retired or released to inactive service without pay. The Board's authority extends only to those individuals who request review within time limits specified in the act.

(7) *Navy Medical Survey Review Board.* The Navy Medical Survey Review Board was established on February 4, 1946, by the Secretary of the Navy in compliance with section 302 (a) of the Servicemen's Readjustment Act of 1944, as amended by section 4 of Public Law 268, 79th Congress. The Board reviews and reports upon the findings and recommendations of any Board of Medical Survey by reason of which any person who, while serving as an officer of the Navy or Marine Corps, or of the reserve components thereof, has been or may be retired or released from active service without pay. By the provisions of 58 Stat. 287; 38 U. S. C. 693, as amended, the Board's authority is extended only to those individuals who request review within the limit prescribed in that act.

An applicant should address his request for review of his case before this Board to the Chief of Naval Personnel or Commandant of the Marine Corps, as appropriate.

(8) *Board of Medical Examiners.* The Board of Medical Examiners, organized pursuant to law (14 Stat. 344; 34 U. S. C. 271) conducts the physical examinations of officers of the line and staff corps, U. S. Navy, Naval Reserve, Marine Corps, and Marine Corps Reserve, to determine their physical qualifications for promotion, appointment or advancement.

(9) *Naval Examining Board (Line)* The Naval Examining Board (Line), organized pursuant to the act of April 21, 1864, as amended (30 Stat. 1005; 34 U. S. C. 274) conducts the professional examinations of line officers, including warrant and chief warrant officers of the U. S. Navy, for promotion; and for ap-

pointment, transfer, and promotion of the U. S. Naval Reserve; competitive examinations of warrant and chief warrant officers for appointment to commissioned ranks of ensign, Lieutenant (junior grade), and Lieutenant of the Regular Navy; competitive examinations of enlisted personnel for appointment to warrant ranks of the Regular Navy; and examinations of records of chief warrant officers, Regular Navy and Naval Reserve for Certificate of Creditability of Record.

(10) *Naval Examining Board (Medical)* The Naval Examining Board (Medical) organized pursuant to the act of April 21, 1864, as amended (34 U. S. C. 271, et seq.), conducts the professional examinations of Medical Corps officers of the U. S. Navy and Naval Reserve for promotion to the grades of commander and captain, Medical Corps. The examinations of officers for promotion to the grade of rear admiral, Medical Corps, are customarily conducted by a special examining board composed of officers of the grade of rear admiral of which the President of this Board is a member.

(11) *Naval Examining Board (Supply).* The Naval Examining Board (Supply Corps), organized pursuant to the act of April 21, 1864, as amended (34 U. S. C. 271, et seq.) conducts examinations of candidates for original appointment to the Supply Corps of the U. S. Navy and the U. S. Naval Reserve, and for appointment as acting pay clerk and pay clerk, U. S. Navy.

(12) *Naval Petroleum Reserves.* The Office of Naval Petroleum Reserves was established in 1927 as a part of the Secretary's Office. A directive dated June 6, 1944, which redefined the duties and functions of this Office, established the Office of the Director of Naval Petroleum and Oil Shale Reserves to take custody and charge on behalf of the Secretary of the reserves created by law; to formulate plans and programs for the exploration, prospecting, protection, conservation, development, use, and operation of such reserves, and for the production of oil therefrom, and to make recommendations to the Secretary with respect thereto; to execute such plans and programs as are duly approved; and to consult with the bureaus and other offices of the Navy Department and other Government departments and agencies to the extent necessary for the administration and control of such reserves, and for obtaining production therefrom.

Jurisdiction over and administration of the naval petroleum and naval oil shale reserves is vested in the Secretary of the Navy by the acts of Congress approved June 4, 1920 (41 Stat. 813) June 30, 1938 (52 Stat. 1252) and June 17, 1944 (58 Stat. 280), all as set forth in 34 U. S. C. 524.

(d) *Boards, offices, committees and divisions under the direct supervision of the Assistant Secretary—*(1) *Army and Navy Munitions Board (Navy participation).* This Board, originally organized in 1922, has for its purpose coordinating the plans of the Army and Navy for the procurement of munitions and supplies for national defense. On August 18, 1945, the Board was reconstituted by an order approved by the President as Com-

mander-in-Chief. As now constituted the Board comprises a Civilian Executive Chairman, the Under Secretary of War, and the Assistant Secretary of the Navy. The Executive Committee consists of the Civilian Executive Chairman, a general officer of the Army, and a flag officer of the Navy, with a secretariat and a staff made up of representatives from each service. In matters of major policy, the Board is advised by a Policy Committee made up of top echelon military representatives of the War and Navy Departments.

The functions of the Board include formulating plans and policies for industrial mobilization in an emergency and coordinating such plans between the Services; coordinating the work of the War and Navy Departments with regard to industrial matters, including procurement plans for the services; supervising such joint bodies as are or may be created to consider any subject falling within the scope of the Board's responsibility and formulating and expressing the military interest of the War and Navy Departments with respect to our foreign trade.

The Board, in its capacity as representative of the Secretaries of War and Navy, has from time to time been assigned specific duties and functions by statute. Illustrative are the functions assigned to the Board under the Strategic and Critical Materials Stock Piling Act (Public Law 520, 79th Congress).

(2) *Facilities Review Board.* The Board, established November 21, 1945, reviews and approves or disapproves all requests for new facilities projects for continental and overseas shore establishments. The Board may investigate any phase of the operating procedure of the shore establishments to insure more efficient use of facilities and may issue orders necessary or appropriate as a result of such investigation. Orders of the Board are construed as emanating from the Secretary of the Navy.

(3) *Material Division.* The Material Division is under the direct supervision of the Assistant Secretary. The organization and functions of this Office are described under § 26.13a.

(4) *Office of the General Counsel.* The office of the General Counsel provides all legal services for the Navy Department in connection with procurement, contract termination, property disposition, renegotiation and related matters. The Office of the General Counsel has additional legal duties as assigned from time to time by the Secretary and his Civilian Executive Assistants. At the head of the Office of the General Counsel is the General Counsel for the Department of the Navy, under whom are two Assistant General Counsel. A branch office designated the Office of Counsel, exists in each of the contracting bureaus, the Office of Naval Research, the Navy Price Adjustment Board, the Material Division of the Office of the Assistant Secretary, and the Office of the Fiscal Director. At the head of each branch office is a Counsel who reports directly to the Chief of the bureau or the Director of the office concerned, and to the Assistant Secretary of the Navy through the General Counsel. In addition

to the foregoing, branch offices have been established in the field at the following activities: Aviation Supply Office, Philadelphia, NMR&DA, New York; Navy Purchasing Office, New York; Army-Navy Medical Procurement Office, New York; and at Ships Store, New York. All such branch offices are available for consultation on the day-to-day legal problems and participate in the day-to-day activities of the bureaus and offices in which they are located, thereby providing direct, on-the-spot legal services and representation, subject to the general supervision and overall coordination of the General Counsel.

(5) *Requirements Review Board.* The Requirements Review Board is responsible for assuring that balance is maintained within and between Navy materiel and personnel procurement programs and for keeping procurement levels consistent with actual needs. The Requirements Review Committee assists the Requirement Review Board in the discharge of its responsibilities by keeping the major materiel and personnel procurement programs of the Navy under constant review. In performing this function, the Committee gives consideration to the conformity of these programs to strategic requirements, to rates of use and attrition and to inventory levels.

(6) *Office of Industrial Relations.* The Office of Industrial Relations, organized January 5, 1944, is responsible for the development of the Navy's personnel program for civilian employees and for advising and assisting bureaus, offices, and shore establishments in the application of the program. It is concerned with all matters relating to the employment, assignment, transfer, promotion, separation, efficiency rating, and training of civilian employees, as well as those relating to wage administration, classification, employee relations, safety engineering and allowances of personnel for civilian billets. It is responsible for coordinating the Department's over-all personnel program so that uniform standards are maintained throughout. Procedures under which this Office operates and compilation of the laws and policies governing its actions are contained in the Navy Civilian Personnel Instructions.

(7) *Industrial Survey Division.* The Industrial Survey Division, organized June 20, 1944, acts to keep the Under Secretary of the Navy informed as to the efficiency of operation and utilization of manpower of the industrial activities of the shore establishments of the Naval Establishment, including the effective use of personnel engaged in industrial work.

(8) *Navy Department Specifications Board.* This Board is charged with the responsibility of fostering standardization and the establishment of uniform specifications for materiel common to two or more bureaus of the Navy Department.

(9) *Army-Navy Joint Specifications Board (Navy participation).* This Board, established under and directly responsible to the Army and Navy Munitions Board, is charged with the responsibility of fostering standardization and the es-

tablishment of uniform specifications for materiel common to the two services.

(10) *Coal Mines Administration.* Executive Order No. 9728 dated May 21, 1946 authorized the Secretary of the Interior to take possession of and to operate certain coal mines (11 F. R. 5461). The Secretary of the Interior requested Admiral Ben Moreell, C. E. C., U. S. N., to serve as Deputy Coal Mines Administrator in the operation and administration of the bituminous coal mines. The Secretary of the Navy by letter dated May 22, 1946 assigned Admiral Ben Moreell on temporary duty as such Deputy Coal Mines Administrator and authorized him in the performance of his duties to utilize to the extent necessary or appropriate naval officers, enlisted or civilian personnel. The description of the organization, functions and procedures of such Administration will be found in the material relating to the Department of the Interior.

(e) *Boards, offices, and committees under the direct supervision of the Assistant Secretary of the Navy for Air—*(1) *Aeronautical Board (Navy participation).* The Aeronautical Board, reorganized pursuant to General Order No. 224, dated October 26, 1945, is charged with investigation, study and report upon all questions affecting jointly the development of aviation of the Army and of the Navy referred to it by the Secretary of War, the Secretary of the Navy, the Commanding General, Army Air Forces, the Deputy Chief of Naval Operations (Air) or the Chief of the Bureau of Aeronautics, and on its own initiative when in its judgment necessary. The Board is further charged with recommending whatever action it considers essential to establish sufficiency and efficiency of cooperation and coordination of effort between the Army and Navy as to aviation.

(2) *Air Coordinating Committee (Navy participation).* This Committee, established by action of the heads of the Departments concerned on April 19, 1945, includes representatives of the State, War, Navy, Commerce and Post Office Departments and the Civil Aeronautics Board. The Bureau of the Budget has a non-voting representative on this committee. Its purpose is to enable and foster consultation and coordinated action by the departments and agencies of the Federal Government charged with responsibilities in the aviation field. Its functions are to examine international and domestic aviation problems and developments affecting more than one department or agency, to coordinate activities of the interested departments or agencies and to recommend integrated policies and action.

(3) *Office of Naval Research.* The Office of Naval Research is under the direct supervision of the Assistant Secretary of the Navy for Air. The organization and functions of this Office are described in § 26.13b.

(4) *Joint Research and Development Board (Navy participation).* This Board is charged with responsibility for coordinating the conduct of research and development activities by the War and Navy Departments.

(5) *Board of Decorations and Medals.* The Board of Decorations and Medals, organized by precept dated December 17,

1942, makes recommendations to the Secretary of the Navy on the award of honors of all types within the naval services; on the legislation, Executive orders, and general orders pertaining to decorations, awards, and campaign medals; and on retirement benefits to personnel with previous commendations. The design of medals and the definition of policies come within the Board's purview. This Board should be distinguished from the Board to Review Recommendations for Awards of Decorations and Medals, established by precept dated December 18, 1945.

(6) *Joint Army and Navy Committee on Welfare and Recreation (Navy participation).* The Joint Army and Navy Committee on Welfare and Recreation, organized January 27, 1944, is responsible for the coordination of policies and programs for the welfare, education, and recreation of service personnel. In carrying out this responsibility the Committee works in close association with the Federal Security Agency, the American Red Cross, the United Service Organizations, and other governmental and private agencies concerned with programs of this character.

(7) *Office of Savings Bonds.* The function of the Office of Savings Bonds is to develop and operate a planned savings program whereby military and civilian personnel may acquire U. S. Savings Bonds through regular reservations through their pay. This office is directed by the Coordinator for Savings Bonds who reports to the Secretary of the Navy in matters pertaining to policy and promotion of Savings Bond investments and to the Chief of Bureau of Supplies and Accounts in matters pertaining to the issue of and accounting for bonds sold.

(f) *Boards, offices, and committees under the direct supervision of the Administrative Assistant to the Secretary of the Navy—(1) Administrative Office.* This office was organized July 1, 1941 and assists in the general administration and business management of the Navy Department. It is responsible for Departmental management services, including space, mail, telephone, office equipment and supplies, warehousing, printing and publications, correspondence and records management, microfilming (except V-mail) building security, transportation, rationing, housing, restaurants, civilian payrolls, machine tabulation services, personal business facilities, civilian health services, improvement of working conditions, and related management functions to increase efficiency and economy of operation. It provides the civilian personnel administration for the Navy Department, and the fiscal control over several Naval appropriations. It is responsible for the operation of the records management and disposal program in the field and has technical control over field publications and printing offices.

(2) *Office of the Fiscal Director (Office of Budgets and Reports)* This office, organized December 2, 1944, formulates, establishes, supervises and coordinates all policies and procedures affecting the finance, budgeting, accounting and auditing activities of the Navy Department.

With the exception of the Finance Division, the functions of this office relate solely to the internal management of the Navy.

On July 17, 1946, the Office of Budget and Reports was made a part of the Office of Fiscal Director. The Office of Budget and Reports has charge of the preparation and execution of the Navy Department's budget, and analyzes the estimates of the individual bureaus and offices and correlates them into a well-balanced program. After funds have been appropriated by Congress, the office revises the budgetary program to conform to specific funds and follows up the execution of that program.

On December 22, 1945, the Finance Division was placed under the cognizance of the Office of Fiscal Director. The directive bringing about this change delegated the following authorities to the Fiscal Director with power on his part to redelegate the same:

(i) All authority and discretion of the Secretary of the Navy under Executive Order No. 9112 (7 F. R. 2367),

(ii) All authority and discretion of the Secretary of the Navy under Executive Order No. 9001 (6 F. R. 6787) with respect to advance and progress payments;

(iii) All authority and discretion conferred on the Secretary of the Navy or the Navy Department under sections 8, 9, and 10 of the Contract Settlement Act of 1944 (58 Stat. 649; 41 U. S. C. 101) with respect to loans and advance payments; and

(iv) All authority for the establishment, supervision and coordination of policies and procedures with respect to advance and progress payments under Navy contracts.

(3) *Office of the Management Engineer.* The Office of the Management Engineer, formerly a branch of the Industrial Survey Division, was organized as a separate entity on May 29, 1946. This office advises and assists in the discharge of responsibilities with respect to "business administration" It reviews, plans, coordinates, integrates and evaluates on a continuing basis, management planning and control throughout the Navy Department and Shore Establishments; assists the heads of major activities in developing, training and establishing programs for their work; and develops criteria and techniques for appraising performance.

3. Delete § 26.5 (b) and (c) and substitute the following:

§ 26.5 *The Bureaus.* \* \* \*

(b) Collectively, the Chiefs of the Bureaus, together with the Judge Advocate General, the Chief of Naval Research, the Chief of the Material Division, the Commandant of the Marine Corps, and the Commandant of the Coast Guard (when assigned to the Navy) constitute the Secretary's Naval Technical Assistants whose functions are described in § 26.3 (d)

(c) The organization and functions of the Bureaus of the Navy Department, the Marine Corps, the Office of the Judge Advocate General, the Office of Naval Research and the Material Division are described in detail in other sections in this part.

4. Add the following paragraphs after § 26.13:

§ 26.13a *Material Division.* The Chief of the Material Division is charged with the coordination, formulation of policy with respect to, and in certain cases the administration of all the material and procurement activities of the Naval Establishment, including contract termination and property redistribution and disposal, and the performance of such other duties as the Secretary of the Navy may direct. The orders of the Material Division are considered as emanating from the Secretary of the Navy and have full force and effect as such.

The Chief is assisted by the Vice Chief of the Material Division, and by the Deputy Chiefs for Procurement Policy, Production Policy, Field Operations and Material Control Policy, who head respectively the four main branches of the Material Division.

To perform the functions for which the Chief of the Division is responsible, the Material Division is organized and its functions distributed, as follows:

(a) *Procurement Policy Branch.* This Branch formulates and promulgates policies and general procedures governing the activities of the Naval Establishment with respect to: (1) The procurement of material and facilities, including the negotiation of contracts, (2) the allocation of responsibility for procurement of common items among the various bureaus, (3) performance and payment bonds and insurance, (4) contract terminations, and related matters of inter terminations, and related matters of industrial readjustment. (See § 27.3 *Termination and settlement of war contracts.*) This Branch further reviews and evaluates compliance with such policies and procedures and issues such orders as may be required to assure compliance.

(b) *Production Policy Branch.* This Branch formulates and promulgates policies and general procedures governing the activities of the Naval Establishment with respect to the production of material. This Branch also reviews and evaluates compliance with such policies and procedures and issues such orders as may be required to assure compliance.

(c) *Field Operations Branch.* This Branch formulates and promulgates policies and general procedures governing the material inspection activities of the Navy. This Branch further reviews and evaluates compliance with such policies and procedures and issues such orders as may be required to assure compliance. This Branch also exercises direct control of Supervising Inspectors of Naval Material and Inspectors of Naval Material and coordinate the activities of the foregoing and Bureau of Aeronautics General Representatives, Representatives, and Resident Representatives; Naval Inspectors of Ordnance; Supervisors and Assistant Supervisors of Shipbuilding, Inspectors and Assistant Inspectors of Machinery; Officers in Charge of Construction, Public Works and Public Utilities; and Marine Corps Inspectors. The foregoing Representatives, Inspectors and Supervisors are located in the field and at the

plants of Navy contractors and constitute the Navy Department's immediate point of contact with such contractors and their vendors.

This Branch also exercises administrative control over those functions which are assigned to the Navy Department as an owning agency by the Surplus Property Act of 1944 (58 Stat. 765; 50 U. S. C. 1611) and regulations issued pursuant thereto, regarding the redistribution, disposal and custody of surplus property which originated as contractor inventory or facilities property. The primary responsibilities involve clearance of war contractors' plants, including the disposition of scrap, salvage, waste material and small lots of contractor inventory and the declaration of usable surplus property to the appropriate disposal agency. This function was formerly performed by the Navy Material Redistribution and Disposal Administration (NMR & DA) located at the New York Naval Shipyard, Brooklyn 1, New York, and its field representatives known as Material Redistribution and Disposal Offices (MRDO). The senior administrative officer (formerly Director, Navy Material Redistribution and Disposal Administration, NMR & DA), is now the Officer-in-Charge of the Property Disposal Unit of the Contract Termination Section, in this Branch (AstSecNav, Mat. Div. (FOB) Washington 25, D. C.). Each field office (formerly Material Redistribution and Disposal Office, MRDO) is now a division of the cognizant Supervising Inspector of Naval Material, known as the Property Disposal Division.

(d) *Material Control Policy Branch.* (1) This Branch formulates and promulgates the policies and general procedures governing the activities of the Naval Establishment with respect to facilities, inventory control, and property redistribution and disposal. This Branch also reviews and evaluates compliance with such policies and procedures and issues such orders as may be required to assure compliance.

(2) The Navy Vessel Disposal Office has been designated as the agency within the Navy Department to carry out, under the supervision of the Material Division, those functions regarding the disposal of surplus vessels which are assigned to the Navy Department as an owning agency by the Surplus Property Act of 1944 (58 Stat. 765, 50 U. S. C. 1611) and regulations issued pursuant thereto. The NVDO's primary responsibility includes the conduct or authorization for sale or disposal where permitted by existing statutes and regulations, of (i) combatant vessels, (ii) non-combatant vessels surveyed and recommended to be abandoned or disposed of as scrap, or salvage (including those vessels returned by disposal agencies with scrap certificates). The NVDO is located at the New York Naval Shipyard, Brooklyn 1, New York.

The disposition of surplus property by the Navy as an owning agency is also participated in by other authorized selling activities of the Naval Establishment which are listed in § 27.5 (a) (7) of this chapter, dealing with the procedures for disposition of Navy Surplus Property.

The following two Boards, Navy Price Adjustment Board and Navy Department

Board of Contract Appeals, are part of the Material Division for administrative purposes but exercise authority delegated to them by the Secretary of the Navy directly.

(e) *Navy Price Adjustment Board.* This Board renegotiates war contracts and subcontracts of contractors if and only when assigned to it by the War Contracts Price Adjustment Board under the Renegotiation Act (56 Stat. 245, 982; 58 Stat. 78; 50 U. S. C. 1191 et seq.) Organization functions and procedures of the Navy Price Adjustment Board are more fully described in the Renegotiation Regulations of the War Contracts Price Adjustment Board which have been published from time to time in the *FEDERAL REGISTER* (10 F. R. 963, 2026, 3236, 6107, 8661, 11515, 13640, 16037; 11 F. R. 3090, 4732, 8032). The Navy Board acts under authority which the War Contracts Price Adjustment Board has delegated to the Secretary of the Navy (10 F. R. 11515). The Secretary of the Navy has redelegated to the Chairman of the Navy Price Adjustment Board final authority with respect to certain matters as set forth in the following directive:

22 AUGUST 1946.

From: The Secretary of the Navy.

To:

All Bureaus, Boards and Offices, Navy Department.

The Commandant, U. S. Marine Corps.

Subject:

Delegation of Authority to Chairman of Navy Price Adjustment Board.

References:

(a) Title XIII, Second War Powers Act, 1942 (Public Law 507, 77th Cong., approved March 27, 1942).

(b) Executive Order 9127, April 10, 1942. 3 CFR, Cum. Supp.

(c) Renegotiation Act of 1943. (Public No. 235, 78th Cong., enacted February 25, 1944).

(d) Delegation by the War Contracts Price Adjustment Board, August 10, 1945. Renegotiation Regulation 821.1. 10 F. R. 1515.

(e) Renegotiation Act of 1942 (Sixth Supplemental National Defense Appropriation Act, 1942, as amended).

(a) The Price Adjustment Board heretofore established in the Navy Department is reconstituted as hereinafter provided. The official title of such Board shall be "Navy Price Adjustment Board" and the same is hereinafter referred to in this directive as "the Board."

(b) The Board shall consist of a Chairman and such members as shall from time to time be appointed by the Secretary of the Navy. Each such appointment shall be made by instrument in writing and shall be accepted in writing by the appointee. Each such appointment shall be effective until revoked in writing by the Secretary of the Navy or until terminated by resignation in writing, delivered to the Secretary of the Navy, or as provided in subsection (c). The Chairman may from time to time designate in writing any member of the Board who shall, in the Chairman's absence, be Acting Chairman of the Board with all of the duties and authority of the Chairman, subject to such limitations as may be provided in such designation.

(c) The Board shall consist of a Washington Division and a New York Division, until the Chairman shall determine that the operations of such New York Division are no longer necessary, at which time he shall have authority to discontinue it by written notice to the Chairman of the Division. Members

of the Board shall be assigned by the Secretary of the Navy to each such Division and one such member shall be designated in writing by the Secretary of the Navy to act as Chairman of the New York Division. The Chairman of the New York Division shall be generally responsible for the operations of his Division under the supervision of the Chairman of the Board. The Chairman of the New York Division may from time to time designate in writing any member of such division who shall, in the absence of such Chairman, be Acting Chairman of such Division with all of the duties and authority of the Chairman of such Division subject to such limitations as may be provided in such designation. Upon the discontinuance of the Division the appointments of all Board Members assigned to the Division shall be deemed revoked.

(d) There is hereby delegated to the Chairman of the Board subject to the provisions of reference (d)

(1) All of the powers, functions and duties conferred upon the War Contracts Price Adjustment Board by subsections (a) (4) (B); (a) (4) (C); (a) (4) (D); (a) (5) (B); (c) (1); (c) (2); (c) (3); (c) (4); (c) (5) (B); and (h) of reference (c).

(2) All of the powers, functions and duties conferred upon the War Contracts Price Adjustment Board to require the furnishing of information, records and data pursuant to the provisions of subsection (c) (5) (A) of reference (c), except the financial statement provided for in the first sentence of said subsection; and

(3) All of the powers, functions and duties conferred upon the War Contracts Price Adjustment Board to interpret and apply the exemptions provided for in subsections (1) (1) (A); (1) (1) (B); (1) (1) (C); (1) (1) (E); and (1) (1) (F), the definition contained in subsection (a) (7) and the provisions of subsection (1) (3) of reference (c) pursuant to such interpretations thereof and regulations relating thereto as may be prescribed by the War Contracts Price Adjustment Board from time to time.

The powers, functions, duties, authority and discretion hereby delegated to the Chairman of the Board may be delegated in whole or in part by him to the Board and to the respective divisions, members and staffs thereof; provided, however, that except as set forth in paragraph 2 hereof, the power and authority to make a determination, by order or agreement, of excessive profits of any contractor or subcontractor shall not be subject to such delegation. In executing the powers, functions, duties, authority and discretion so delegated, and in performing any other duties assigned by the Chairman of the Board, the Board and each division or member and the staff thereof, shall act under the supervision of the Chairman of the Board.

(e) The personnel, authority and functions of the Services and Sales Renegotiation Section, are hereby transferred to the Navy Price Adjustment Board, and the power to make a determination by order or agreement of excessive profits of any contractor or subcontractor heretofore delegated to the Chief of the Services and Sales Renegotiation Section, is hereby transferred to the Chairman of the Price Adjustment Board.

(f) The Chairman of the Board in connection with any investigation deemed necessary to permit him or the Board or any division thereof to carry out the duties delegated to him or it is hereby authorized to exercise the authority conferred upon the Secretary of the Navy by references (a) and (b) to inspect the plant and to examine the books and records of contractors and subcontractors, and he may administer oaths and affirmations and may require by subpoena or otherwise the attendance and testimony of witnesses and the production of any books or records or any other documentary or physical evidence which may be deemed



relevant to such investigation; and he shall have the right to demand of any contractor or subcontractor who holds contracts or subcontracts with respect to which the provisions of reference (c) are applicable statements of actual costs of production and such other financial data at such dates and in such form and detail as he may require.

(g) The Board shall, for administrative purposes, be part of the Material Division, Office of the Assistant Secretary. The Chief of the Material Division shall assign or cause to be assigned such personnel and shall provide such facilities and materials as may be required by the Chairman of the Board in connection with the exercise of any of his powers, functions, duties, authority, or discretion.

(h) The General Counsel for the Department of the Navy shall appoint a member of his office to act as Counsel to the Chairman of the Board and shall also assign members of such office to act as assistant counsel and attorneys under the supervision and direction of such Counsel. Such Counsel, and under his supervision, such assistant counsel and attorneys, shall perform all legal services incident to the discharge by the Chairman of the Board, the Board and each division thereof of his or its respective duties and functions and shall prepare and issue such legal interpretations, as may be necessary or desirable, of the statutes, regulations and directives under which the Chairman of the Board, the Board and each division thereof act or which are pertinent to their operations, and of renegotiation agreements and orders. Counsel to the Chief of the Services and Sales Renegotiation Section and Assistant Counsel and attorneys under his direction shall also be attached to the office of Counsel to the Chairman of the Board. In the performance of the foregoing duties such Counsel shall be responsible to the General Counsel for the Department of the Navy.

(i) When a determination of excessive profits has been made by the Chairman of the Navy Price Adjustment Board, whether embodied in an order or an agreement, the Chief of the Bureau of Supplies and Accounts is hereby charged with the responsibility for the elimination of the excessive profits so determined (to the extent that the Secretary of the Navy is charged with the duty of eliminating such excessive profits). Without limiting the generality of the foregoing, the Chief of the Bureau of Supplies and Accounts is particularly authorized and directed:

(a) To receive and collect all payments, reports, financial data and other items, as provided in any such agreement or order, and to transmit all payments received by him to the Treasurer of the United States to be covered into the Treasury as miscellaneous receipts;

(b) When necessary in order to eliminate any such excessive profits (i) to effect the withholding from amounts otherwise due to a contractor or subcontractor of any amount of such excessive profits of such contractor or subcontractor; or (ii) to direct a contractor to withhold for the account of the United States, from amounts otherwise due to a subcontractor, any amount of such excessive profits of such subcontractor determined under the provisions of the Renegotiation Act of 1942; or (iii) to direct a contractor or subcontractor to withhold for the account of the United States, from amounts otherwise due to a subcontractor, any amount of such excessive profits of such subcontractor determined under the provisions of the Renegotiation Act of 1943;

(c) To keep appropriate records with respect to the performance of the terms and provisions of all renegotiation agreements and with respect to the discharge of liability of contractors and subcontractors under or-

ders determining excessive profits made or entered pursuant hereto; and

(d) To advise the Secretary of the Navy as to any unremedied defaults under any such renegotiation agreements or orders and to recommend appropriate action with respect thereto.

In order that the Chief of the Bureau of Supplies and Accounts may expeditiously discharge such responsibility, the Chairman of the Board shall cause to be transmitted to the Chief of the Bureau of Supplies and Accounts a conformed copy of each renegotiation agreement and each order determining excessive profits made or entered pursuant hereto promptly after the same shall have become effective.

The powers, functions, duties, authority and discretion herein vested in the Chief of the Bureau of Supplies and Accounts may be delegated by him in whole or in part to such divisions and officers in the Bureau of Supplies and Accounts as he shall deem necessary or desirable.

(j) With respect to proceedings under the Renegotiation Act of 1942 (Ref. e), the Directive of the Secretary of the Navy dated 23 March 1944 (PM:370:FVRP:ap) (NPD 14201-14212) shall remain in effect until 11 September 1946, and shall thereafter be deemed revoked. As to proceedings under the Renegotiation Act of 1943, it is revoked immediately. All actions taken under and in accordance with its authority are hereby ratified, approved, and confirmed. The Chairman shall have custody of the records of cases under the Renegotiation Act of 1942, and shall have authority with respect to such cases to take any action necessary in view of their having been disposed of by agreement or order, including, without limitation, the power to reopen such cases in the event of a showing of fraud or malfeasance or a willful misrepresentation of a material fact. The directives of the Acting Secretary of the Navy of February 8, 1945 (OGC/CMMcD:ms) (NPD 14241-14246) and of the Chairman of the Price Adjustment Board of February 8, 1945 (OGC/VLH:ms) (NPD 14251-14252) are hereby superseded and cancelled. All actions heretofore taken by the Price Adjustment Board of the Navy Department and any of its divisions and by the Services and Sales Renegotiation Section in accordance with previously applicable directives and delegations are hereby ratified, approved, and confirmed.

W. JOHN KENNEY,  
Acting Secretary of the Navy.

(f) *Navy Department Board of Contract Appeals.* This Board, depending upon the applicable provisions of contracts or requirements of law, acts either collectively as a Board or through the Chairman individually as the agent and authorized representative for the Secretary to hear and determine appeals by Navy contractors from decisions by contracting officers on disputed questions and appeals by Navy contractors on decisions of contracting officers on termination claims pursuant to section 13 of the Contract Settlement Act of 1944, (58 Stat. 649; 41 U. S. C. 101) or in an advisory capacity to make findings and recommendations to the Secretary of the Navy. The Board also, upon request of the contracting bureau, determines the fair value of facilities in those cases where the contract provides that such determinations shall be made either by the Compensation Board or by the Board of Contract Appeals, and prepares and submits to the Secretary findings and recommendations with respect to the fair value of facilities in those cases where

the Secretary is required to determine such fair value.

§ 26.13b *Office of Naval Research.* (a) The Office of Naval Research was created by the act of Congress of August 1, 1946 (Public Law No. 588, 79th Congress). Its duties are performed under the authority of the Secretary and its orders are considered as emanating from him and have full force and effect as such. The Office of Naval Research is directed by the Chief of Naval Research, appointed by the President, by and with the advice and consent of the Senate, for a term of not to exceed three years. The Assistant Chief of Naval Research performs the duties of the Chief in the event of the latter's absence. The Office of Naval Research performs the following functions: (1) The encouragement, promotion, planning, initiation, and coordination of naval research; (2) the conduct of naval research in augmentation of and in conjunction with the research and development conducted by the respective bureaus and other agencies and offices of the Navy Department; and (3) the supervision, administration, and control of activities within or on behalf of the Navy Department relating to patents, inventions, trade-marks, copyrights, royalty payments, and matters connected therewith; all as prescribed by the Secretary in a directive dated August 21, 1946.

(b) To perform the functions for which the Chief of the Office of Naval Research is responsible, the Office of Naval Research is organized as follows:

The Chief of Naval Research.  
The Assistant Chief of Naval Research.  
Administrative and Staff Sections, including:  
Material Branch (Contracts), General Patent Counsel and sections dealing with scientific personnel, publications and inventions.

The Operating Divisions, each under the supervision of a Director as follows:

Planning Division.  
Naval Research Laboratory (Washington, D. C.).  
Special Devices Division (Sands Point, Port Washington, Long Island, N. Y.).  
Patents Division.  
Underwater Sound Reference Laboratory.

(c) For information concerning the location and activities of branch offices maintained by the Office of Naval Research, inquiry should be addressed to The Office of Naval Research, Navy Department, Washington 25, D. C.

5. Amend § 27.3 (b) by adding the following sentence: "The Joint Termination Regulation is published in the Code of Federal Regulations, 1944 Supplement, Title 10, Chapter 8, Subchapter C."

6. Delete § 27.3 (c) and substitute the following:

§ 27.3 *Termination and settlement of war contracts.* \* \* \*

(c) *Delegations of authority.* Pursuant to the Joint Termination Regulation, the bureau, office or field activity which entered into the contract is generally authorized to terminate and settle that contract, subject to certain exceptions contained in the Joint Termination Regulation.



7. Amend § 27.5, third paragraph, line 8, by deleting the words "The Navy Material Redistribution and Disposal Administration Handbook has also been published" and substituting therefor "The Bureau of Supplies and Accounts manuals contain information."

8. Amend § 27.5, third paragraph, third line from the end, by deleting the words "Material Redistribution and Disposal Offices listed in 26.20" and substituting therefor "Offices of the Supervising Inspectors of Naval Material (Property Disposal Division)"

9. Amend § 27.5 (a) (1) by deleting "275" and substituting therefor "27.5."

10. Amend § 27.5 (a) (7) by making the following amendments:

a. Under the heading "Other Naval Activities," delete "Naval Air Technical Training Center, Norman, Okla." and "Industrial Manager, Eighth Naval District, Federal Office Building, New Orleans, La."

b. In the twenty-second line of the last paragraph, delete the words "without the approval of the American Red Cross" and substitute therefor "by sale."

11. Amend § 27.5 (b) (3) by making the following amendments:

a. Last line of the first paragraph, delete the word "and," change the period to a comma and add the words "uncompleted hulls, or other vessels converted by the Navy from any of the above types."

b. Third and fourth lines of the second paragraph, delete the words "Navy Material Redistribution and Disposal Administration" and insert "Navy Vessel Disposal Office."

12. Delete the third paragraph and substitute the following:

Surplus noncombatant naval vessels are reported by the Navy Department to the appropriate disposal agency for disposition, but the Navy has been designated the disposal agency for frigates and eagles (patrol vessels) located in the continental United States and not subject to Public Law 305, 78th Congress (requiring certain vessels to be reported to U. S. Maritime Commission for return to the former owners on the conditions stated in such law)

(Secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

W JOHN KENNEY,  
Acting Secretary of the Navy.

[F. R. Doc. 47-4759; Filed, May 21, 1947;  
8:46 a. m.]

#### PART 26—ORGANIZATION AND FUNCTIONS OF THE NAVAL ESTABLISHMENT

#### PART 27—PROCEDURES OF THE NAVAL ESTABLISHMENT

#### PART 29—CLAIMS FOR RELIEF BY CONTRACTORS

#### MISCELLANEOUS AMENDMENTS

The following changes are authorized to amend the regulations relating to the organization and functions of the Naval Establishment (11 F. R. 177A-159)

1. Add the following sentence to § 26.13 (b) (3) (i) "For information on admiralty claims, see § 27.8 (b) of this chapter."

2. Delete §§ 26.13 (b) (3) (ii) and (iii) and renumber §§ 26.13 (b) (3) (iv), (v) (vi), and (vii) to read §§ 26.13 (b) (3) (ii) (iii) (iv) and (v)

3. Add the following sentence to § 26.13 (b) (3) (ii) "For information on claims, see § 27.8 (a) of this chapter."

4. Delete § 26.13 (b) (3) (iii) and substitute the following:

§ 26.13 *The Office of the Judge Advocate General.* \* \* \*

(b) \* \* \*

(3) *General Law Division III.* \* \* \*

(iii) *International Law.* Advises and maintains liaison with offices of Navy Department affected by international law problems; advises on legal questions incident to operation of Foreign Claims Commissions, Guam Land and Claims Commissions, leased base agreements, military government of occupied areas, prisoners of war and jurisdiction of foreign civil authorities over naval personnel; maintains liaison with State and War Departments. For information on foreign claims and Guam claims, see §§ 27.8 (c) and (d) of this chapter.

5. Amend § 27.8 by changing the title to read as follows:

§ 27.8 *Claims—(a) Navy Personnel Claims Regulations and Navy General Claims Regulations.*

6. Add § 27.8 (b) (c) and (d) as follows:

(b) *Admiralty claims—(1) Delegation of final authority.* (i) Final authority for the settlement, where the amount paid does not exceed \$1,000,000 and where the matter is not in litigation, and direct payment of claims for damage caused by naval vessels and for towage or salvage services rendered to naval vessels are vested in the Secretary of the Navy (58 Stat. 726; 46 U. S. C. 797)

(ii) Final authority for settlement is vested in the Secretary of the Navy, where the matter is not in litigation and where the amount collected does not exceed \$1,000,000, of claims of an Admiralty nature or for damage caused by a vessel or floating object to property of the United States, which is under the jurisdiction of the Navy Department or to property for which the Navy Department by contract or otherwise may have assumed responsibility (Act of December 5, 1945, Public Law 246, 79th Congress, 1st Session)

(iii) The Secretary of the Navy is authorized to delegate final authority to such persons as he may designate to settle claims, not exceeding payment or collection of one thousand dollars under the aforesaid statutes. (Public Laws 595 and 598, respectively, 79th Congress.)

(iv) The final authority to settle said claims, not exceeding payment or collection of one thousand dollars under the above statutes, has been delegated by the Secretary of the Navy to the Judge Advocate General, Assistant Judge Advocate General, and the Chief Admiralty Officer.

(2) *Limitation of settlement.* The authority of the Secretary of the Navy to effect settlement of claims under this act is subject to the same limitation as the Public Vessels Act (Act of March 3, 1925, c. 428, 43 Stat. 1112; 46 U. S. C. 781 et seq.),

that is, a two-year period from the date of the origin of the cause of action. Settlement must be authorized by the Secretary and accepted by the claimant prior to the expiration of such two-year period; otherwise, thereafter the cause of action ceases to exist and the Secretary has no authority to effect settlement administratively. The "filing" of a claim, or its consideration by the Navy Department or correspondence or negotiation does not waive or extend the two-year limitation. Where damages have not been liquidated, settlements on the issue of liability can be effected during the two-year period, leaving the question of the extent of damage for later determination. A settlement within the two-year period in effect constitutes a contract upon which suit could be maintained in the Court of Claims, subject to its six-year limitation. Payment does not need be accomplished within the two-year period.

The requisite is an agreement between the Navy Department and the claimant prior to the expiration of the period when a suit under the Public Vessels Act would be barred, that is, the two-year period.

This limitation applies to all claims, both of a non-admiralty nature, such as damage to land structures, and to admiralty claims, which are settled under the act of July 3, 1944.

(3) *Public information.* Information as to the status of admiralty claims may be obtained upon application to the Chief Admiralty Officer, Office of the Judge Advocate General, Navy Department, Washington 25, D. C., or upon application to the Admiralty Officer or Legal Officer in the naval district where the matter may have arisen.

(c) *Foreign, non-combat claims.* Foreign, non-combat claims may be allowed by a commission appointed by the Commanding Officer of the area of not more than one member when the amount is not greater than \$500.00, and three members when the amount is between \$500.00 and \$2,500.00. Such commissions have final authority (not subject to review) to approve payments up to \$2,500.00 in settlement of claims. Claims between \$2,500.00 and \$5,000.00 may be paid when the Commanding Officer has approved the award. Awards in excess of \$5,000.00 are reviewed by the Judge Advocate General and after appropriate administrative action are reported to the Congress for consideration.

Information relative to claims may be procured by communicating with the Judge Advocate General, Navy Department, Washington 25, D. C.

(d) *Guam claims (Public Law 224, 79th Cong.)* Combat and noncombat claims of permanent residents of Guam for damage to real and personal property may be allowed by the Guam Land and Claims Commission up to \$2,500.00 and with approval of the Governor of Guam, up to \$5,000.00. Claims for damage to real and personal property in excess of \$5,000.00, and all death and injury claims are reviewed by the Judge Advocate General and after appropriate administrative action are reported to the Congress for consideration.

(e) *Claims for relief by contractors.* The rules and regulations in this part pertaining to the claims for relief by contractors which formerly appeared under Part 29 (12 F. R. 409) are cancelled and superseded by § 27.19 which will appear in the FEDERAL REGISTER of May 23, 1947. For statement on the organization of the War Contracts Relief Board which handles this type of claims, see § 26.4 (b) (7) of this chapter.

7. The rules and regulations in this part pertaining to the claims for relief by contractors which formerly appeared under Part 29 (12 F. R. 409) are cancelled and superseded by § 27.19 which will appear in the FEDERAL REGISTER of May 23, 1947.

(Secs. 3, 12, Pub. Law 404, 79th Cong. 60 Stat. 238, 244)

W JOHN KENNEY,  
*Acting Secretary of the Navy.*

[F. R. Doc. 47-4758; Filed, May 21, 1947;  
8:46 a. m.]

## TITLE 39—POSTAL SERVICE

### Chapter I—Post Office Department

#### Subchapter B—Regulations

#### PART 12—TREATMENT OF MAIL MATTER AT RECEIVING OFFICES

##### PENSION LETTERS

In § 12.19 *Pension letters* (39 CFR, Part 12) make the following changes:  
Amend paragraph (c) to read as follows:

(c) If the addressee has not died, reenlisted, removed, or, if a widow, remarried, the letters bearing instructions under the act of June 3, 1936, may be delivered to the addressee, or without his or her written order, to any member of his or her family or household, his or her clerk, servant, or agent who has been in the habit of receiving the addressee's ordinary mail with his or her knowledge and consent, or to any responsible person who presents the addressee's written order, except that in no case shall such mail be delivered to a claim agent, attorney, or broker. Such letters shall not be forwarded to another post office. The postmaster of any office to which such a letter has been inadvertently forwarded shall not effect delivery thereof but shall immediately return such letter to the post office of original address, such return to be made in post office penalty envelope together with a memorandum referring to the instructions printed on the Treasury Department envelope.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
*Acting Postmaster General.*

[F. R. Doc. 47-4760; Filed, May 21, 1947;  
8:46 a. m.]

#### PART 14—DELIVERY SERVICE

##### DELIVERY OF PENSION MAIL AT RESIDENCE

Section 14.32 *Delivery of pension mail at residence; when required* (39 CFR,

Part 14), and the cross reference following the section, are rescinded.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
*Acting Postmaster General.*

[F. R. Doc. 47-4761; Filed, May 21, 1947;  
8:46 a. m.]

#### PART 21—INTERNATIONAL POSTAL SERVICE LETTERS AND LETTER PACKAGES

In Subpart A, General Provisions, § 21.3 *Letters and letter packages* (39 CFR, Part 21) is amended as follows:

1. In paragraph (f) insert "Poland" after "Peru (registered)"

2. In paragraph (g) delete "Poland"

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
*Acting Postmaster General.*

[F. R. Doc. 47-4762; Filed, May 21, 1947;  
8:46 a. m.]

#### PART 21—INTERNATIONAL POSTAL SERVICE PACKING

In Subpart A, General Provisions, § 21.75 (39 CFR, Part 21), make the following changes:

1. Amend paragraphs (a) and (b) to read as follows:

§ 21.75 *Packing.* (a) Every parcel shall be securely and substantially packed, regard being had to the nature of the contents and climatic conditions, the length of the journey, and the numerous handlings and risks of concussion to which parcels for foreign destinations are unavoidably subjected en route. Packages should be packed in canvas or similar material, double-faced corrugated cardboard boxes, solid fiber boxes or cases, thick cardboard boxes, or strong wooden boxes made of material at least a half inch thick. Ordinary pasteboard containers are wholly inadequate. While it is permissible to use heavy wrapping paper or waterproof paper as the outside covering, for instance, of a carton, it may not be used as the only covering of the contents. Boxes with lids screwed or nailed on and bags closed by means of sewing may be used provided they conform to other conditions prescribed. (See country items (Subpart B) regarding special packing requirements to certain countries.)

(b) Articles of china, crockery, or glass, and hats, radios, or other articles of a fragile or easily breakable nature should be packed in a strong (preferably wooden) box, strong double-faced corrugated cardboard boxes enclosed in strong wooden crates are also preferred, especially in the case of overseas destinations. There should be a space of at least 1½ inches between the article and the top, bottom, and sides of the box. This space may be utilized with excelsior or other effective cushioning material, or, with air-cushioned corrugated riders.

2. Amend paragraph (d) (1) to read as follows:

(d) (1) All mailable liquids and substances which easily liquefy must be packed in two receptacles. Between the first (bottle, flask, etc.) and the second (box of metal, strong wood, strong corrugated cardboard, strong fiberboard, or receptacle of equal strength) there shall be left a space to be filled with sawdust, bran, or other absorbent material in sufficient quantity to absorb all the liquid contents in the case of breakage. It is not considered that excelsior possesses the necessary absorbent quality to meet the special requirements cited for internal packing. In the case of Great Britain and Northern Ireland and those countries receiving parcels via Great Britain, Eire, Leeward Islands, Malaya, and Windward Islands, the outer receptacle should be of strong wood or metal.

3. Subparagraphs (2) and (3) of paragraph (d) are rescinded.

4. Subparagraph (4) of paragraph (d) is renumbered subparagraph (2) of paragraph (d)

5. In subparagraph (3) of paragraph (f) delete "and forwarded to Miami or Tampa, Fla., for onward transmission to Cuba" in last sentence.

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
*Acting Postmaster General.*

[F. R. Doc. 47-4763; Filed, May 21, 1947;  
8:46 a. m.]

#### PART 21—INTERNATIONAL POSTAL SERVICE SERVICE TO FOREIGN COUNTRIES; ETHIOPIA (ABYSSINIA)

In Subpart B, the regulations under the country "Ethiopia (Abyssinia)" (39 CFR Part 21) are amended to read as follows:

##### ETHIOPIA (ABYSSINIA)

*Regular mails.* See Table No. 1, § 21.116 (39 CFR, Part 21), for classifications, rate, weight limits, and dimensions. Small packets accepted.

*Indemnity.* Not exceeding \$16.33 for Postal Union registered articles.

*Special delivery.* Fee 20 cents.

*Air-mail service.* Postage rate, 25 cents one-half ounce.

*Money-order service.* No provision.

*Dutiable articles (merchandise) prepaid at letter rate.* Accepted.

*Prohibitions.* Coins, manufactured or unmanufactured platinum, gold, or silver; precious stones, jewelry, and other precious articles. However, registered letters may contain bank notes, paper money, or values payable to bearer. Also all articles prohibited in the form of parcel post.

*Parcel post.* (Ethiopia.)

[Rates include transit charges]

Pounds:	Rate	Pounds:	Rate
1.....	\$3.45	12.....	\$2.50
2.....	.59	13.....	2.64
3.....	.89	14.....	2.78
4.....	.94	15.....	2.92
5.....	1.03	16.....	3.06
6.....	1.22	17.....	3.20
7.....	1.36	18.....	3.34
8.....	1.54	19.....	3.48
9.....	1.68	20.....	3.62
10.....	1.82	21.....	3.76
11.....	1.86	22.....	3.90

Weight limit: 22 pounds.

Customs declarations: 1 Form 2366.

Dispatch note: 1 Form 2972.

Parcel-Post Sticker: 1 Form 2922.  
Sealing: Optional.  
Group shipments: No.  
Registration: No.  
Insurance: No.  
C. O. D.: No.  
Exchange office: New York.

*Indemnity.* No provision.

*Dimensions.* Greatest length, 3½ feet.  
Greatest length and girth combined, 6 feet.

*Observations.* The service extends to Addis Ababa, Dire Dawa, and Harrar only. Parcels are liable to a charge for delivery. All parcels must be very strongly packed, and those of which the contents are liable to be affected by dampness should be enclosed in two separate waterproof covers.

In order to facilitate customs clearance and delivery, senders should inclose in their parcels a copy of an invoice covering the contents. Such invoices should be attested by an appropriate authority of the country of origin (chamber of commerce, board of trade, etc.).

*Prohibitions; for reasons of public safety.* Coins, bank-notes, paper money, and values payable to bearer. Platinum, gold and silver, manufactured or not. Jewelry, precious stones, and other precious articles. False and counterfeit coins. Food coloring essences having bases of tar and other minerals, or of poisonous vegetable substances. All food products may be subjected to analysis at the addressee's expense.

*For sanitary reasons.* Used linen must be accompanied by a certificate of disinfection.

*For the protection of plants.* Fresh or dried seeds and fruits must be accompanied by a health certificate.

*Arms, etc.* Admitted only by permit issued by the Ministry of War.

*State monopolies, etc.* Sea salt and rock salt, tobacco leaves and manufactured tobacco, lighters and flints therefor, require a permit from the competent authorities.

*For other reasons.* Moving-picture films must be packed in firmly soldered tin boxes, and celluloid articles must be placed in solid wooden boxes. Each such parcel and relative dispatch note must be plainly marked "Films" or "Celluloid"

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
Acting Postmaster General.

[F. R. Doc. 47-4764; Filed, May 21, 1947;  
8:46 a. m.]

#### PART 21—INTERNATIONAL POSTAL SERVICE SERVICE TO FOREIGN COUNTRIES; OKINAWA AND THE RYUKYU ISLANDS

In Subpart B of Part 21 (39 CFR) insert the following under "Okinawa and the Ryukyu Islands":

##### OKINAWA AND THE RYUKYU ISLANDS

Effective May 15, 1947, Postal Union (regular) mail service and ordinary gift parcel service will be resumed to Okinawa and the other islands of the Ryukyu group. The service is available to all islands of the Ryukyu group south of 30° north latitude, including Kuchinoshima.

Regular mail articles (letters, post cards, commercial papers, printed matter, samples of merchandise, and small packets) will be subject to the normal weight limits and conditions set forth in Table No. 1, § 21.116 (39 C. F. R., Part 21). Articles prepaid at the letter rate of postage may not contain merchandise.

Registration, air mail, money order, and special delivery services are not available at this time.

Articles should be addressed in English, but it will be permissible for the address to be shown also in any other language provided those addressed in another language bear an interline translation in English of the name of the post office, island where located, and the words "Ryukyu Islands."

Gift parcels will be subject to the following rates of postage and other conditions:

[Rates include transit charges]

Pounds:	Rate	Pounds:	Rate
1-----	\$0.19	7-----	\$1.33
2-----	.38	8-----	1.52
3-----	.57	9-----	1.71
4-----	.76	10-----	1.90
5-----	.95	11-----	2.09
6-----	1.14		

Weight limit: 11 pounds.

Customs declarations: 1 Form 2966.

Dispatch note: No.

Parcel post sticker: 1 Form 2922.

Sealing: Optional.

Group shipments: No.

Registration: No.

Insurance: No.

C. O. D.: No.

Exchange office: San Francisco.

Only one gift parcel per week may be mailed by the same sender to or for the same addressee. Such parcels must not measure more than 72 inches in length and girth combined.

Contents of gift parcels are limited to essential relief items such as nonperishable foods, clothing, soap, and mailable medicines.

The parcels and relative customs declaration must be conspicuously marked "Gift Parcel" by the senders, who must itemize the contents and value on the customs declaration.

Parcels which are undeliverable will not be returned to senders but will be disposed of by the postal authorities in the Ryukyu Islands.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
Acting Postmaster General.

[F. R. Doc. 47-4765; Filed, May 21, 1947;  
8:46 a. m.]

#### PART 21—INTERNATIONAL POSTAL SERVICE

##### SERVICE TO FOREIGN COUNTRIES; POLAND

In Subpart B, the regulations under the country "Poland" (39 CFR, Part 21) are amended to read as follows:

##### POLAND

*Regular mails.* See Table No. 1, § 21.116 (39 CFR, Part 21), for classifications, rates, weight limits, and dimensions. Small packets accepted.

*Indemnity.* Not exceeding \$16.33 for Postal Union registered articles.

*Special delivery.* Fee, 20 cents.

*Air-mail service.* Postage rate, 15 cents one-half ounce.

*Money-order service.* See §§ 17.51 to 17.97 (39 CFR, Part 17).

*Dutiable articles (merchandise) prepaid at letter rate.* Accepted.

*Combination packages.* Accepted.

*Prohibitions.* All articles prohibited in the form of parcel post.

*Parcel post.* (Poland.)

Pounds:	Rate	Pounds:	Rate
1-----	\$0.14	23-----	\$3.22
2-----	.28	24-----	3.36
3-----	.42	25-----	3.60
4-----	.56	26-----	3.84
5-----	.70	27-----	3.78
6-----	.84	28-----	3.92
7-----	.98	29-----	4.06
8-----	1.12	30-----	4.20
9-----	1.26	31-----	4.34
10-----	1.40	32-----	4.48
11-----	1.54	33-----	4.62
12-----	1.68	34-----	4.76
13-----	1.82	35-----	4.90
14-----	1.96	36-----	5.04
15-----	2.10	37-----	5.18
16-----	2.24	38-----	5.32
17-----	2.38	39-----	5.46
18-----	2.52	40-----	5.60
19-----	2.66	41-----	5.74
20-----	2.80	42-----	5.88
21-----	2.94	43-----	6.02
22-----	3.08	44-----	6.16

Weight limit: 44 pounds.

Customs declarations: 2 Form 2966

Dispatch note: No.

Parcel-post sticker: 1 Form 2922.

Sealing: Optional.

Group shipments: No.

Registration: No.

Insurance: No.

C. o. d.: No.

Exchange offices: New York, Chicago, Philadelphia.

*Indemnity.* No provision.

*Storage charges.* See § 21.98 (39 CFR Part 21), relative to storage charges on returned parcels.

*Dimensions.* Greatest combined length and girth, 6 feet. Greatest length, 3½ feet, except that parcels may measure up to 4 feet in length, on condition that parcels over 42 and not over 44 inches in length do not exceed 24 inches in girth, parcels over 44 and not over 46 inches in length do not exceed 20 inches in girth, and parcels over 46 inches and up to 4 feet in length do not exceed 16 inches in girth.

*Observations.* Packages not properly wrapped when presented for mailing will be refused until they are wrapped or packed in such manner as it is thought will assure their delivery at destination intact. The Warsaw office requests the use of boxes enveloped in cloth or canvas.

Used clothing, underwear, table linen, and bedding, of wool, half-wool, cotton, artificial silk, linen, and other fabrics of vegetable origin (which may be padded but not fur-trimmed), used leather footwear (other than patent leather, alligator-skin, snake-skin, chamois-skin, leather with ornamental designs or other fancy leathers), as well as footwear of rubber, felt, or cloth (except brocade), may be exempted from customs duty if sent as gifts to indigent persons for their own use.

If the sender desires that such articles be exempted from duty, he should enclose in the parcel a list of the articles prepared and certified by himself, with indication of the name and address of the addressee, and attesting that the articles are sent as gifts. The list must also be visaed by a consulate of the Polish Republic.

Addressees desiring exemption from duty must submit, at the time of customs examination, a certificate of indigence. However, if such certificate of indigence has been sent to the mailer it should likewise be submitted to a Polish consulate for visa, after which both the approved certificate of indigence and list of articles being sent may be enclosed in the parcel. The wrappers of such parcels are to be marked to indicate that the approved certificate and list are enclosed.

If the certificate of indigence has not been sent to the mailer, parcels containing used clothing, etc., intended for indigent persons

may be accepted only upon a definite understanding with the mailer that the addressee will submit the certificate of indigence to the Polish customs authorities at the time the parcel is examined by them. The wrappers of such parcels must be marked by the sender to show that the certificate of indigence will be submitted by the addressee.

Parcels containing both new and used articles may be accepted for mailing only on condition that they are endorsed by the senders to indicate that the customs duties will be paid by the addressee.

Postmasters will see to it that parcels for Poland are invariably marked by the senders to show the alternative disposition to be made by them in the event they prove to be undeliverable for any reason. In those cases where the nature or value of the contents is such that the senders would not be willing to pay return charges if a parcel is undeliverable they should be instructed to check section "(B) Abandon" on the alternative-disposition sticker and on the customs declarations, and to strike out sections (A) and (C).

The customs may refuse to exempt articles which, due to their quantity or nature, do not correspond to the family condition of the addressee, or if there is reason to believe that such articles are not sent as gifts.

Polish consuls are located in the following cities:

Chicago, Ill., Pittsburgh, Pa., New York, N. Y., and Detroit, Mich.

Import permits are required for all parcels addressed for delivery in Poland which contain articles subject to import restrictions. Persons in Poland desiring to receive merchandise which is subject to import restrictions must obtain from the Ministry of Industry and Commerce of that country an import permit, which permit should be forwarded to the mailers for inclusion in the parcel. The wrappers of such parcels should be marked to indicate that the import permit is enclosed.

The Postal Administration of Poland has advised that while inclusion of the import permit in the parcels greatly simplifies clearance through the Polish customs, there will be no objection to the acceptance of parcels, at the risk of the senders, when they are presented for mailing without the import permits being enclosed, as the addressees are allowed 28 days in which to produce the required documents. Detention of the parcels pending the production of the permit, of course, gives rise to payment of storage charges by the addressee, or by the senders in case the parcels prove to be undeliverable and are returned to origin.

Postmasters are directed to accept for mailing to Poland parcels subject to import restrictions, which are presented without the required import permit being enclosed, only with a definite understanding that if the parcels are returned in consequence of failure of the addressees to obtain the required permit within the 28-day period allowed by Poland, the senders will be expected to pay the return charges due on the parcels.

It is understood that the following are not subject to import restrictions in Poland and do not therefore, require import permits:

1. Outer and inner wrappings usually employed in commerce.
2. Samples of merchandise and models, not intended for sale and not suitable for other use.
3. Small noncommercial shipments (up to 500 grams) of merchandise other than luxury articles.
4. U. N. R. A. shipments.
5. Gift parcels.
6. Advertising printed matter.

**Prohibitions; For reasons of public safety.** Military arms and war material, as well as parts and accessories.

Arms not having a military character imported for industry and commerce are ad-

mitted under permit from the provincial government.

Arms not having a military character imported for personal use are admitted under permit from the administrative authorities of the district in which the addressee resides.

**For sanitary reasons.** Substitutes for saffron.

Wallpaper, printed papers, fabrics, and other articles dyed with colors based on arsenic.

Colors based on aniline containing arsenic (fuchsine and other names), in lumps, powder, or paste (not in crystals).

Beans of the *Phaseolus lunatus* and Rangoon species, as well as all species of poisonous beans.

Admissible medicines published in special lists by the Ministry of Finance may be imported on presentation of a certificate issued by the provincial government.

Medicines not mentioned in the said lists (preparations of galena, combinations employed in medicine and put up in doses, as well as mixtures of combinations employed in medicine) may be imported under a permit issued separately for each shipment by the Ministry of Finance and a certificate issued by the provincial government.

Medicines, whether or not they appear in the said lists, intended for personal use, may be imported in very small quantities under permit from the Ministry of Finance, without the certificate of the provincial government.

Such permit is issued on presentation of a doctor's prescription attesting the need for using the medicine in question and the impossibility of replacing it by a medicine produced locally. Medicines of this kind which do not exceed the weight of 300 grams may be cleared by first-class customs offices without special authorization. These offices are also authorized to clear all kinds of medicines and specifics imported in very small quantities for purposes of study by schools, as well as by State and municipal hospitals and by social insurance establishments. Clearance is effected on presentation of a certificate issued by the doctor, the dean, or the chief of the clinic, hospital, etc.

Serums and vaccines employed in medicine are admitted under a permit issued separately for each shipment by the Ministry of Health, under the conditions set forth in that permit.

White lead, sulphate of lead, and other products containing lead combinations are admitted under a permit issued jointly by the Ministry of Finance, the Ministry of Health, and the Ministry of Industry. This restriction does not apply to the importation of completely prepared artists' colors.

Serums and vaccines for study may be cleared in the same manner as medicines imported for that purpose.

**For the protection of animals.** Fish, crawfish, bodies and parts of animals, animal products, used harness, used bee-keeping utensils, forage, bedding, all kinds of articles bearing traces of blood or pus coming from animal excrements or secretions, serums and vaccines for veterinary purposes, as well as biological preparations for the diagnosis of infectious diseases of animals, may be imported under a permit issued by the Ministry of Agriculture, under the conditions set forth in that permit, if the international veterinary conventions signed by Poland, do not provide otherwise. The permits may be individual or collective.

**For the protection of plants.** All varieties of potatoes, including seed potatoes, are admitted under a permit issued jointly by the Ministry of Finance and the Ministry of Agriculture, through the customs offices authorized to that end. They must be enclosed in new (unused) packing and lead-sealed by the sender, who shall attach to each shipment two copies of a certificate issued by the official phytopathological service or by a plant-protection institution of

the country of origin. That certificate shall attest that the potatoes and all articles employed for their packing are free from the following diseases and parasites, as well as their eggs and larvae: *Synchytrium endobioticum* (potato wart disease), *Spongospora subterranea* (powdery scab), *Leptotyphlops decemlineata* (Colorado potato beetle), (*Phthorimaea*) *Gnorimoschema operculella* (potato tuber worm), and *Heterodera schachtii rostochiensis* (potato nematodes); and that such potatoes come from a region free from all the diseases and parasites above mentioned and at least 20 kilometers distant from the nearest focus of *Synchytrium endobioticum* (potato wart disease) and 50 kilometers from the nearest focus of *Leptotyphlops decemlineata* (Colorado potato beetle).

The following plant materials may be imported through the authorized customs office, on condition that the shipment is accompanied by two copies of a certificate issued by the official phytopathological service or by a plant-protection institution of the country of origin: (a) Trees, shrubs, layers, and grafts of all kinds; (b) rooted ornamental plants and their seedlings or stocks (bulbs, rhizomes, roots); (c) fresh fruits (apples, pears, plums, peaches, and cherries); (d) fresh vegetables of all kinds, as well as their parts growing above and below ground, except seeds and potatoes (see preceding paragraph); (e) seeds of peas, kidney beans, lentils, vetch, *Plum arvensis*, navy beans, and horsebeans. The certificate of phytopathological inspection must show that the contents of the shipment and all the articles used for its packing have been inspected, that they are not infected by diseases or infested by parasites, as well as their eggs and larvae, and that the plant materials above enumerated come from an establishment or plantation free from such diseases and parasites. In case of importation of trees, shrubs, and rooted plants, as well as all kinds of live plants with their roots or underground parts (bulbs, rhizomes, etc.) with earth or placed in a container filled with earth, the certificate must also show that the plants have been grown in a place free from *Synchytrium endobioticum* (potato wart disease) and that the earth contained in the shipment does not come from a region infected with that disease.

Potatoes and other plant materials which are not accompanied by a phytopathological inspection certificate can be admitted only upon presentation by the addressee of a certificate issued by a plant-protection institution in Poland showing that the shipment is free of any dangerous disease or injurious pest.

Seeds of clover, lucerne (alfalfa), lupuline (yellow trefol), sweetclover (bird's-foot trefol), and timothy must be accompanied by two copies of a certificate, issued by an official seed-examining establishment of the country of origin; stating that they are entirely free from *Cuscuta* (dodder); otherwise the necessary certificate must be issued by a competent similar establishment in Poland; in any case, the seeds may be subjected to analysis by the Polish authorities, and if found to contain dodder will be rejected. Such seeds, on importation into Poland, must be colored by the customs offices authorized to clear them, following the procedure laid down by the Ministry of Finance and the Ministry of Agriculture jointly, as follows: There is injected into a sack of seeds a solution of 0.9 percent of eosin in denatured alcohol (160 cubic centimeters of solution to 100 kilograms of seed). The expenses of such coloring are charged to the importer. The foregoing restrictions do not apply to samples of seeds not exceeding 100 grams in weight, or to shipments imported by universities or agricultural institutions for scientific purposes.

Beans, other than *Phaseolus lunatus* and Rangoon, as well as poisonous beans, whose importation is entirely prohibited, may be

imported if accompanied by certificates of origin issued by the State authorities or by agricultural associations of the country of origin. The certificate of origin must indicate the species of bean (botanical name), and show that no poisonous elements are included. That certificate may be replaced by an attestation issued in Poland for the State food-analysis establishment, after examining samples sent to it by the customs office under official seal. The expenses of transmitting and examining the samples are charged to the person authorized to receive the merchandise.

**State monopolies, etc.** Articles coming under the State monopolies may be imported only by the monopoly Administrations. Private individuals must obtain a permit from the Ministry of Finance, which fixes the conditions for customs clearance. An exception is made for tobacco products intended for personal use not exceeding the weight of one kilogram.

Gold, in the form of coins which are legal tender in any country, or of coins which are not valid in any country, ingots, worked gold or articles not having the character of products ready for use, as well as in the raw state in any form, may not be imported without the authorization of the Currency Commission at Warsaw.

The importation of Polish or foreign negotiable securities and dividend-paying securities, of dividend coupons of such securities, of Polish paper money, and of Czecho-Slovak currency, without the permission of the said Commission, is likewise prohibited.

Persons in Poland violating these provisions are liable to the measures contemplated by article 16 of the decree of the President of the Polish Republic dated April 26, 1936, concerning monetary transactions with foreign countries, as well as the movement of Polish and foreign securities.

**For other reasons.** Fishberries (Berries of *Cocculus [Anamirta] indicus*).

Leaves, peelings, and waste of potatoes.

Tokens, counters, and other articles in imitation of Polish or foreign coins. Counterfeit Polish or foreign paper money or securities, as well as articles ornamented with such counterfeits, with the exception of literary or scientific publications.

Single playing cards.

All kinds of labels, caps, corks, empty containers, etc., bearing the firm name of foreign producers, imported without the goods.

Artificial sweetening substances, as well as chemical compounds capable of being transformed by simple chemical processes into saccharine or similar substances, may be imported only by factories or wholesale drug stores under special permits issued in accordance with the domestic regulations.

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
Acting Postmaster General.

[F. R. Doc. 47-4766; Filed, May 21, 1947;  
8:46 a. m.]

## PART 21—INTERNATIONAL POSTAL SERVICE

### SERVICE TO FOREIGN COUNTRIES; GREECE (INCLUDING CRETE)

In Subpart B, the regulations under the country "Greece" (39 CFR, Part 21), are amended to read as follows:

#### GREECE (INCLUDING CRETE)

**Regular mails.** See Table No. 1, § 21.116 (39 CFR, Part 21), for classifications, rates, weight limits, and dimensions. Small packets accepted. (See "Observations" under parcel post for quota restrictions.)

**Indemnity.** Not exceeding \$16.33 for Postal Union registered articles.

**Special delivery.** No service.

**Money-order service.** See § 17.51 to § 17.97 (39 CFR, Part 17).

**Air-mail service.** Postage rate, 15 cents one-half ounce.

**Prohibitions.** Dutiable articles (merchandise) in letters and packages prepaid at letter rate.

Notes of the Hellenic Bank. Coins; manufactured or unmanufactured platinum, gold or silver; precious stones, jewelry, and other precious articles.

Tobacco, cigarettes, cigars, saccharine, and its products.

Also all articles prohibited in the form of parcel post.

**Parcel post.** (Greece.)

[Rates include surcharges]

Pounds:	Rate	Pounds:	Rate
1-----	\$0.14	12-----	\$1.93
2-----	.28	13-----	2.07
3-----	.67	14-----	2.21
4-----	.81	15-----	2.35
5-----	.95	16-----	2.49
6-----	1.09	17-----	2.63
7-----	1.23	18-----	2.77
8-----	1.37	19-----	2.91
9-----	1.51	20-----	3.05
10-----	1.65	21-----	3.19
11-----	1.79	22-----	3.33

Weight limit: 22 pounds.

Customs declarations: 1 Form 2966.

Dispatch note: 1 Form 2972.

Parcel-post sticker: 1 Form 2922.

Sealing: Optional.

Group shipments: No.

Registration: No.

Insurance: No.

C. o. d.: No.

Exchange office: New York.

**Dimensions.** Greatest combined length and girth, 6 feet. Greatest length, 3½ feet, except that parcels may measure up to 4 feet in length, on condition that parcels over 42 and not over 44 inches in length do not exceed 24 inches in girth, parcels over 44 and not over 46 inches in length do not exceed 20 inches in girth, and parcels over 46 inches and up to 4 feet in length do not exceed 16 inches in girth.

**Storage charges.** See § 21.98 (39 CFR, Part 21) relative to storage charges on returned parcels.

**Observations.** Customs declarations must furnish a detailed description of the contents of the parcels including the exact gross and net weight, and the quantity and value of each kind of merchandise, and, if practicable, be worded in the Greek and French language as well as in English.

According to a decision of the Greek Government, the importation of certain classes of foreign merchandise is permitted only within limits fixed for each kind of merchandise and for each importer. Senders should obtain information in advance.

The delivery of parcels containing articles subject to import quota restrictions is permitted only on authorization of the central distributing committee.

The delivery of parcels imported for personal use is permitted upon presentation of a permit which the addressees must procure from the Ministry of National Economy.

Delivery of parcels containing merchandise imported for commercial purposes, and coming from countries with which Greece has concluded commercial treaties for clearing or exchange of merchandise, is permitted upon presentation of an authorization issued by the Bank of Greece.

It is indispensable that senders enclose a copy of commercial invoices in parcels. The absence of the invoice may result in delay in delivery of parcels, difficulties in customs treatment, or even prejudice against the addressees.

**Prohibitions; for sanitary reasons.** Fresh meat (including pork), sausage, bologna, etc., raw hides, wool, horns, hoofs, bones, and other parts, by-products and waste from cattle or sheep, as well as crude horsehair, unless accompanied by a certificate of origin issued by the competent authorities showing that the place of origin is not contaminated with trichina.

The importation for commercial purposes of parcels containing old and used articles (rags, underwear, bedding, etc.) is absolutely prohibited.

Used clothing for personal use must be cleaned before mailing.

Cans of condensed milk, unless they have a label in the Greek language affixed giving the directions for use.

The importation of gluten-flour biscuits and gluten flour is permitted on condition that they contain nitrogenized substances, at least 60 percent for biscuits and at least 80 percent for flour. Parcels containing such products must be accompanied by a certificate issued by a chemical laboratory in the country of origin.

**Snuff.**

Certain pharmaceutical specialties require special authorization.

**For the protection of animals or plants.**

Live plants and parts of plants, such as roots, cuttings, vine shoots, leaves, and grapes, by virtue of the phylloxera law. This prohibition does not apply to Macedonia, Thrace, and the islands of Chios, Samos, Mytilene (Medelin), and Nikaria (Icaria). It is permitted, however, to import exclusively through the offices of Piraeus, Athens, and Patras, grafts and cuttings of plants other than grapevines, by special authorization of the Ministry of Agriculture, after they have been disinfected at the said offices.

Cottonseed as well as unseeded cotton.

Silk cocoons require special authorization.

Parasites and predators of injurious insects, unless intended for the control of those insects and exchanged between officially recognized institutions.

**Arms, munitions, etc.** Firearms, pistols or revolvers, poniards, swords, and any other articles containing swords, poniards, blades, or guns.

Commercial arms, including hunting arms, are admitted only by special permission, to be obtained by the addressees from the police authorities.

Nonexplosive components of artillery fuses.

**State monopolies.** Salt, playing cards, amusement devices, petroleum, saccharine, quinine, cigarette papers as well as thin paper which might be used for making cigarettes, weighing up to 30 grams per square meter, if not polished at least on one side, and if it does not contain 2 percent of sulphur. The importation of paper weighing less than 60 grams per square meter is also prohibited without the special permit which the addressees must obtain from the State chemical laboratory.

Leaf tobacco for the making of cigars may be imported only by or for tobacco manufacturers, under special authorization from the Ministry of Finance and subject to the fulfillment of the formalities prescribed by the regulations.

The importation of cigarette papers is permitted only by tobacco manufacturers, subject to authorization from the Ministry of Finance.

Foreign coins of silver, copper, or bronze. Watermarked paper similar to stamped papers.

Aluminum beaten into sheets intended for the manufacture of tobacco.

Mechanical lighters.

Notes of Hellenic Bank.

The importation of obligations, public securities and paper values of all kinds is subject to special authorization from the Ministries of Finance and National Economy of Greece. In case the addressees do not sub-



mit the required authorization packages containing the articles referred to will be returned to origin.

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
Acting Postmaster General.

[F. R. Doc. 47-4767; Filed, May 21, 1947;  
8:47 a. m.]

# PART 21—INTERNATIONAL POSTAL SERVICE SERVICE TO FOREIGN COUNTRIES; PHILIPPINES

In Subpart B of Part 21 (39 CFR, Part 21), insert the following under "Philippines (Republic of the)":

## PHILIPPINES (REPUBLIC OF THE)

**Regular mails.** See Table No. 1, § 21.116 (39 CFR, Part 21), for classifications, rates, weight limits, and dimensions. Small packets accepted at the risk of the sender.

**Indemnity.** Not exceeding \$16.33 for Postal Union registered articles.

**Special delivery.** No service.

**Air-mail service.** Postage rate, 25 cents one-half ounce.

**Money-order service.** See §§ 17.51 to 17.97 (39 CFR, Part 17).

**Combination packages.** Accepted.

**Observations.** Letters in their usual and ordinary form may be accepted for registration, when addressed for delivery at Manila, at any provincial capital, or at one of the following cities:

City:	Province of
Tabaco.....	Albay.
Aparri.....	Cagayan.
Virac.....	Catanduanes.
Tagaytay City. <sup>1</sup>	
San Pablo City. <sup>1</sup>	
Iligan.....	Ianao.
San Jose.....	Mindoro.
Baguio City. <sup>1</sup>	
Dagupan.....	Pangasinan.
Quezon City. <sup>1</sup>	
Dipolog.....	Zamboanga.

<sup>1</sup> "Chartered" city, not in any province.

Other registered articles are restricted to those addressed for delivery in Manila only.

**Prohibitions.** No list.

**Parcel post.** (Philippines, Republic of the.) (Only one parcel per week may be sent by the same sender to the same addressee.)

Pounds:	Rate	Pounds:	Rate
1.....	\$0.14	12.....	\$1.68
2.....	.28	13.....	1.82
3.....	.42	14.....	1.96
4.....	.56	15.....	2.10
5.....	.70	16.....	2.24
6.....	.84	17.....	2.38
7.....	.98	18.....	2.52
8.....	1.12	19.....	2.66
9.....	1.26	20.....	2.80
10.....	1.40	21.....	2.94
11.....	1.54	22.....	3.08

Weight limit: 11<sup>1</sup>/<sub>2</sub> pounds.

Customs declarations: 1 Form 2966.

Dispatch note: No.

Parcel-post sticker: 1 Form 2922.

Sealing: Optional.

Group shipments: No.

Registration: No.

Insurance: No.

C. o. d.. No.

<sup>1</sup> Parcels exceeding 11 lbs. in weight are accepted for Manila, Baguio, Iloilo, Cebu, Zamboanga, and Davao and to the municipality of Tacloban in the Province of Leyte only.

Exchange office: San Francisco.

**Indemnity.** No provision.

**Dimensions.** Greatest length, 3<sup>1</sup>/<sub>2</sub> feet.

**Greatest length and girth combined,** 6 feet.

**Observations.** Certificates of origin must accompany shipments of merchandise of United States origin exceeding \$10 in value. No special form is required and the prescribed certificate should be written or hand-stamped on the regular commercial invoices. The certificates should read as follows:

"I hereby certify that the above-described articles are the growth, product, or manufacture of the United States or its possessions, and that no drawback of import duties has been or will be claimed thereon, and that this invoice is true and correct in all particulars."

The invoices bearing such certificate should be prepared in duplicate and signed by a duly authorized agent of the shipper, his title to be shown beneath the signature. The original copy of the certified invoice should be signed before a notary public or a deputy collector of customs authorized to administer oaths.

The certificate of origin is not required for shipments valued at \$10 or less and should not be used for articles of foreign origin shipped from the United States to the Republic of the Philippines. Invoices covering articles of foreign origin should state the country of origin.

**Prohibitions.** No list.

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
Acting Postmaster General.

[F. R. Doc. 47-4768; Filed, May 21, 1947;  
8:47 a. m.]

# PART 21—INTERNATIONAL POSTAL SERVICE SERVICE TO FOREIGN COUNTRIES; MEXICO

In Subpart B, the regulations under the country "Mexico" (39 CFR, Part 21), are amended to read as follows:

## MEXICO

**Regular mails.** See Table No. 2, § 21.116 (39 CFR, Part 21), for classifications, rates, weight limits, and dimensions. Small packets accepted.

**Indemnity.** Not exceeding \$3.27 for Postal Union registered articles.

**Diplomatic and consular mail.** See § 21.32, *Freedom of postage for Government correspondents.* See § 21.32.

**Special delivery.** Fee, 20 cents.

**Eight-ounce merchandise packages.** Accepted.

**Air-mail service.** Postage rate, 5 cents per ounce.

**C. o. d. service.** For information concerning collect-on-delivery service for registered 8-ounce packages of merchandise, small packets, and printed matter, see "collect-on-delivery service."

**Money-order service.** See § 17.51 to § 17.97 (39 CFR, Part 17).

**Dutiable articles (merchandise) prepaid at letter rate.** Accepted.

**Combination packages.** Accepted.

**Observations.** The postal administration of Mexico has advised that, under the general law for insurance companies issued in Mexico on August 26, 1935, mail matter from insurance companies in the United States not authorized in Mexico and destined for delivery in that country, containing receipts or notices of premiums on policies, will be allowed delivery, provided the envelopes are marked "Esta correspondencia no contiene

propaganda para contratar seguros" (this correspondence does not contain advertising for contracting policies).

Advertising matter, yearbooks and directories are liable to customs duties as follows:

Article	Rate of duty, pesos (per gross kilo <sup>1</sup> )
Catalogs, yearbooks, and directories, printed, paper bound.....	0.50
Catalogs, yearbooks, and directories, printed, bound in boards, leather, or cloth.....	75

Rate of duty, pesos  
(per legal kilo<sup>2</sup>)

Advertisements, calendars, and catalogs, printed, engraved, or lithographed, on single sheets of paper or cardboard, even when they have frames, rods, or rollers of any kind.....	3.00
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<sup>1</sup> Gross weight includes total weight of package and outside container.

<sup>2</sup> Legal weight includes inside container and wrappings.

Customs duty can not be prepaid on the above-mentioned articles for Mexico. Information as to arrangements that may be made by the sender for paying the required customs duties may be obtained from the Office of International Trade, Department of Commerce, Washington 25, D. C.

**Prohibitions.** Coins and bank notes are admitted in registered letters, provided that the total value of the shipment does not exceed 2,000 Mexican pesos.

Persons desiring to transmit medicinal products, toilet preparations, and cosmetics in the mails to Mexico must submit specimens of such articles to the Mexican Department of Public Health for registration, accompanied by a statement of the formula of their composition in the Spanish language. After registration by the Department of Public Health of Mexico, medicinal products may be forwarded to that country provided they bear an indication of their formula in Spanish as well as the registration number, while toilet preparations and cosmetics will be accepted provided they bear an indication of the number under which registered.

Works reprinted abroad in violation of the Mexican copyright laws.

Books relating to magic.

Also all articles prohibited in the form of parcel post.

Parcel post. (Mexico.)

Pounds:	Rate	Pounds:	Rate
1.....	\$0.14	23.....	\$3.22
2.....	.28	24.....	3.36
3.....	.42	25.....	3.50
4.....	.56	26.....	3.64
5.....	.70	27.....	3.78
6.....	.84	28.....	3.92
7.....	.98	29.....	4.06
8.....	1.12	30.....	4.20
9.....	1.26	31.....	4.34
10.....	1.40	32.....	4.48
11.....	1.54	33.....	4.62
12.....	1.68	34.....	4.76
13.....	1.82	35.....	4.90
14.....	1.96	36.....	5.04
15.....	2.10	37.....	5.18
16.....	2.24	38.....	5.32
17.....	2.38	39.....	5.46
18.....	2.52	40.....	5.60
19.....	2.66	41.....	5.74
20.....	2.80	42.....	5.88
21.....	2.94	43.....	6.02
22.....	3.08	44.....	6.16

Weight limit: 44 pounds.

Customs declaration: 1 Form 2366.

Dispatch note: No.

Parcel-post sticker: 1 Form 2922.

Sealing: Compulsory.

Group shipments: Yes.

Registration: Yes. Fee, 20 cents.

Insurance: No.

C. o. d.. Yes.

Exchange offices: Offices authorized.

*Receipts for ordinary parcels.* See section 104.

*Indemnity.* See section 106.

*Registry return receipt.* Requested at time of mailing, 5 cents; after mailing, 10 cents. (See sec. 101, par. 8.)

*Storage charges.* See section 93 relative to storage charges on returned parcels.

*Dimensions.* Greatest combined length and girth, 6 feet. Greatest length  $3\frac{1}{2}$  feet, except that parcels may measure up to 4 feet in length, on condition parcels over 42 and not over 44 inches in length do not exceed 24 inches in girth, parcels over 44 and not over 46 inches in length do not exceed 20 inches in girth, and parcels over 46 inches and up to 4 feet in length do not exceed 16 inches in girth.

*Collect-on-delivery service.* (a) Registered parcel-post packages, printed matter, 8-ounce packages of merchandise, and small packets may be sent collect-on-delivery from any money-order post office in the United States.

(b) Collect-on-delivery shipments shall in all cases be registered and based upon bona-fide orders for the contents of the parcel or in conformity with agreement between the sender's and addressee's. It is not permissible to use the c. o. d. service as a collection agency.

(c) The amount to be collected on parcels sent to Mexico must be shown on the parcels in pesos and centavos, the centavos to be in even centavos—for instance, 2 pesos 50 centavos, not 2 pesos 49 centavos. "Pesos" and "centavos" must be written out in full. On parcels received from Mexico the c. o. d. amount will be shown in dollars and cents.

(d) The c. o. d. fees (which cover registration) are as follows:

	Cents
For collection of a maximum of 50 pesos and an indemnity (loss only) up to \$10	30
For collection of a maximum of 250 pesos and an indemnity (loss only) up to \$50	45
For collection of a maximum of 500 pesos and an indemnity (loss only) up to \$100	60

(e) While postal employees may acquaint the public upon request with the information published by the Department from time to time regarding the rate of conversion of the Mexican peso, it should be made clear to the public that due to the frequent fluctuations in the conversion rate no responsibility will be assumed by the Postal Service for any quotations furnished and that the fluctuations in the rate of conversion should be taken into consideration by the senders when computing the c. o. d. charges to be collected on delivery so as to insure the receipt of the full amount desired. It should also be made clear that the responsibility of properly indorsing on registered c. o. d. parcels to Mexico the amount in pesos and centavos to be collected rests with the sender and that no indemnity is payable to cover any shortage in the remittance received when such remittance represents the equivalent of the pesos and centavos indorsed on the parcel by the sender. The question of the shortage is then one for adjustment between the sender and the addressee of the c. o. d. parcel involved.

(f) Form 3818 or a letter indicating the nature of any alteration or cancellation of the c. o. d. charges requested by the sender on c. o. d. parcels sent to Mexico shall be sent direct to the postmaster at the United States exchange office from which the parcel concerned was due to be dispatched in a direct mail to Mexico.

(g) If the United States exchange office of dispatch is not definitely known to the postmaster at the office of mailing, the Form 3818 or letter, in order not to delay the matter, should be sent to the postmaster at Laredo or El Paso, Tex., according to whichever of

these two offices can be reached more quickly from the office of mailing. In general, El Paso is reached more quickly from places in western United States and Laredo from other places.

(h) Requests for alteration or cancellation of c. o. d. charges in connection with c. o. d. parcels sent from Mexico to this country will be sent by the proper Mexican exchange office to one of the United States exchange offices listed in paragraph (i) below, which in turn will transmit the request to the United States office of destination. Postmasters receiving requests from one of the United States exchange offices referred to for changes in or cancellation of the amounts of c. o. d. charges on c. o. d. articles mailed in Mexico will promptly comply with such requests. (The requests should be filed at the office of destination as a record.) However, such requests which may be erroneously sent from any Mexican post office direct to the office of destination in this country should be sent to the Deputy Second Assistant Postmaster General, International Postal Transport, Washington 25, D. C., to have them verified. The c. o. d. parcels involved should in the meantime be held for further instructions from the Deputy Second Assistant Postmaster General.

(i) The postmarking stamp of the office of mailing must appear at all breaks (cut or torn ends) of the gummed-paper strips employed in the sealing of registered c. o. d. parcel-post packages.

(j) There is shown below a complete list of all the offices in this country and Mexico through which c. o. d. articles may now be exchanged:

Brownsville, Tex., and Matamoros, Tam.  
 Calexico, Calif., and Mexicali, B. Cfa.  
 Chicago, Ill., and Alvaro Obregon, Tab.  
 Chicago, Ill., and Mexico, D. F.  
 Chicago, Ill., and Nuevo Laredo, Tam.  
 Chicago, Ill., and Progreso, Yuc.  
 Chicago, Ill., and Veracruz, Ver.  
 Eagle Pass, Tex., and Piedras Negras, Coah.  
 El Paso, Tex., and Ciudad Juarez, Chih.  
 El Paso, Tex., and Mexico, D. F.  
 Laredo, Tex., and Mexico, D. F.  
 Laredo, Tex., and Nuevo Laredo, Tam.  
 Laredo, Tex., and Tampico, Tam.  
 Los Angeles, Calif., and Mexico, D. F.  
 New Orleans, La., and Campeche, Cam.  
 New Orleans, La., and Alvaro Obregon, Tab.  
 New Orleans, La., and Progreso, Yuc.  
 New Orleans, La., and Veracruz, Ver.  
 New York, N. Y., and Campeche, Cam.  
 New York, N. Y., and Mexico, D. F.  
 New York, N. Y., and Nuevo Laredo, Tam.  
 New York, N. Y., and Progreso, Yuc.  
 New York, N. Y., and Tampico, Tam.  
 New York, N. Y., and Veracruz, Ver.  
 Nogales, Ariz., and Nogales, Son.  
 Philadelphia, Pa., and Mexico, D. F.  
 Philadelphia, Pa., and Nuevo Laredo, Tam.  
 Rio Grande City, Tex., and Ciudad Camargo, Tam.  
 St. Louis, Mo., and Mexico, D. F.  
 St. Louis, Mo., and Nuevo Laredo, Tam.  
 San Antonio, Tex., and Nuevo Laredo, Tam.  
 San Diego, Calif., and Ensenada, B. Cfa.  
 San Diego, Calif., and Tijuana, B. Cfa.

(k) Sanders' return receipts will not be furnished for collect-on-delivery parcels for Mexico.

(l) For further information concerning collect-on-delivery service see §§ 21.108, 21.114.

*Observations.* Packages, except packages of moving-picture films, automobile tires, and packages of newspapers from news dealers especially marked to go as "outside pieces," will not be accepted for transmission to Mexico when their bulk will prevent their inclosure in mail sacks at the United States exchange post office of dispatch. Automobile tires, up to a weight limit of 44 pounds each, may be accepted for places in Mexico reached by railroad from the United States.

The Mexico office will not accept responsibility for any damage that may occur to packages of automobile tires when their transmission is outside of mail sacks. Packages such as herein described will be accepted outside of mail sacks when they originate in Mexico and are destined for the United States.

The Postal Administration of Mexico has requested that it be recommended to senders of parcels destined for that country which are directed to the ultimate addressee through the intermediary of a first addressee (bank or other organization) that the names and addresses of both addressees be indicated on the wrappers of the parcels as well as on the customs declarations.

The Mexican Administration has established a system of advising the second addressee of the arrival of such a parcel at the office of destination. This advice of arrival, which bears a notation that the parcel will not be delivered except upon written authorization from the first addressee, is sent only once. It is sent at the same time as the advice is sent to the first addressee. The Mexican Administration states that, in practice, it has been found that banking institutions are sometimes negligent in advising their client (a second addressee) of the arrival of his merchandise, and that the sending of an advice of arrival to the second addressee serves to notify him that the parcel is on hand.

These instructions contemplate that both addresses appearing on a parcel shall be addressed to a single office. Therefore, parcels should not be accepted for mailing if directed to a first addressee at a certain office and to a second addressee at another office.

For information concerning customs duties on advertising matter, yearbooks, and directories, see "Regular mails."

The Mexican domestic rate of postage will be charged on each parcel-post package which is forwarded from one office to another office in that country when it bears an indication that the mailer desires it tendered for delivery at an alternative address. In the event the parcel can not be delivered at the alternative address indicated, it will be returned to origin rated for the collection of the above-mentioned forwarding charges. These charges, in addition to others which may have accrued on the parcel, will be collected from the mailer at time of return.

Mail should be dispatched according to special instructions issued to cover designated post offices in a particular State. At United States Exchange post offices concerned parcel-post packages for Mexico will not be inclosed in the same sacks with regular mail articles. New York is not the exchange office for Mexico (overland).

Insecticides, fungicides, and germicides shall be prepared for mailing to Mexico as follows:

Each receptacle shall be plainly marked with the word "Poison" and the label or printed name of the manufacturer.

The inner boxes or tubes containing the materials must be of metal, wood, glass, or fiber, and the outer container must be of metal or fiberboard, securely fastened and sealed.

For liquids, an inner container must not only be surrounded by sufficient absorbent material, but must also be enveloped in padding material. Wood shavings cannot be considered as absorbent. The inner packing for insecticides, fungicides and germicides in solid or powder form must likewise be surrounded by packing material.

*Prohibitions, for sanitary reasons.* Pacifiers for the amusement of babies. For medicines, cosmetics, and toilet articles, see "Regular mails." The customs service requires, from persons receiving by mail from abroad, in small quantities, products of animal origin contained in tin cans, a certifi-

cate of sanitary inspection issued by the Department of Agriculture and Fomento. However, with a view to avoiding annoyance and difficulty for importers of such small shipments, the Secretariat of Communications and Public Works, at the request of the said customs service, advises that the products in question may be exempted from the above-mentioned inspection certificate when their weight is less than 5 kilograms (11 pounds); but that shipments of a greater weight will be inspected by a representative of the competent Secretariat, at the request of the interested parties in each case.

*For the protection of animals and plants.* Cottonseed must be fumigated or certified by the sanitary authorities of the country of origin.

The following are admitted only with special authorization from the Minister of Agriculture and Fomento: Coffee plants and parts thereof (roots, stems, flowers, and fruits) intended for study; rice seed and paddy rice; banana plants and parts thereof; citrus trees and parts thereof (there is no restriction on the fruit); potatoes; fruits and fruit plants intended for study; sugarcane shoots intended for study.

A special permit from the Minister of Agriculture and Fomento is required for corn and other agricultural products from the States of Michigan, Ohio, Pennsylvania, New York, New Hampshire, Massachusetts, Maine, Rhode Island, Connecticut, Vermont, New Jersey, West Virginia, and Indiana.

Live plants, seeds, and herbs in general require sanitary inspection.

Peach, nectarine, almond and chabacano (apricot), trees, as well as their roots, stems, branches, cuttings, shoots, and grafts from the United States, being subject to partial quarantine, require a permit from the Federal Office of Agricultural Defense for importation.

Parasites and predators of injurious insects, unless intended for the control of those insects and exchanged between officially recognized institutions.

*Arms, etc.* Arms require the special permission of the Secretariat of War and Navy. The importation by mail of pistols, hunting and target arms, is subject to the following conditions: For such importation there is required, in addition to the authorization from the Secretariat of War and Navy, a certificate from the Mexican Consul at the place of shipment establishing that the articles destined for importation into the country are indeed of the authorized kind; this document shall be submitted to the Mexican customs office of entry, which will not permit the importation without it. Moreover, the Secretariat of Finance and Public Credit calls attention to the fact that the absence of the above certificate constitutes a violation of the customs law, and that the prescribed fines will consequently be levied; the customs can permit the forwarding and withdrawal of the arms only after the fine has been paid; pistols and other instruments for the projection of tear gas.

*For other reasons.* Works violating the Mexican copyright laws.

Banknotes, except those of the Bank of Mexico, coins of all kinds, with the exception of gold coins, and values payable to bearer (checks, etc.) are prohibited admission. As an exception, the Bank of Mexico and the banks associated therewith are authorized to import bank notes exclusively for the purpose of exchange. However, the Secretariat of the Treasury and Public Credit of Mexico may prohibit the Bank of Mexico and its associated banks from importing banknotes into the country when, in the judgment of the National Banking Commission, the importation is excessive, or when the said commission deems it prejudicial to the economics of that country. Prohibited banknotes and coins and values payable to the bearer received in Mexico will be returned only when

the Mexican Administration is satisfied that the articles do not have an illegal character. In case the articles are found to have an illegal character they will be confiscated. See regular mail prohibitions concerning the mailing of coins and banknotes in registered letters.

Uncanceled postage stamps are accepted only under registration.

Eggs, except eggs for hatching addressed to places served directly by railroad, are prohibited.

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
Acting Postmaster General.

[F. R. Doc. 47-4769; Filed, May 21, 1947;  
8:47 a. m.]

#### PART 21—INTERNATIONAL POSTAL SERVICE SERVICE TO FOREIGN COUNTRIES; RESTRICTED RESUMPTION OF MAIL SERVICE TO ALL OF GERMANY

The regulations under the country "Germany" (39 CFR, Part 21, Subpart B, Service to Foreign Countries), as amended (12 F. R. 706, 1604), are further amended as follows:

Change first sentence of paragraph (a) (12 F. R. 1604) to read:

*Restricted resumption of mail service to all of Germany.* (a) Effective at once ordinary letters weighing not in excess of one pound and containing merchandise, restricted to gifts and samples and non-illustrated post cards, may be accepted for transmission either by surface means or air to all of Germany.

Mail service to all zones of Germany also is extended to include printed matter for the blind, weighing not in excess of 11 pounds.

Letters written in Braille, and not exceeding the present weight limit of 1 pound may be accepted for mailing to all zones of Germany.

Letters in Braille and printed matter for the blind will be subject to the regulations requiring that only non-transactional correspondence and non-commercial printed matter may be sent to Germany.

The regular rates for sealed letters, and printed matter for the blind, will apply to these articles when sent by surface means. If sent by air the postage rate and weight limit for air mail will apply.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
Acting Postmaster General.

[F. R. Doc. 47-4770; Filed, May 21, 1947;  
8:47 a. m.]

#### PART 21—INTERNATIONAL POSTAL SERVICE SERVICE TO FOREIGN COUNTRIES; MAILING OF CIGARETTES AND TOBACCO PRODUCTS TO GERMANY, INCLUDING APO'S, PROHIBITED

Whereas the military authorities have placed an embargo on the transmission of cigarettes and tobacco products for delivery in Germany, both through the Army Postal Service and the international mails, effective May 26, 1947, and have made request of the Post Office Department for a comparable embargo, and it being found that compliance with the notice, public rule making procedure, and

effective date requirements of the Administrative Procedure Act (Public Law 404, 79th Congress) is impracticable and contrary to the public interest,

Now, therefore, *It is ordered*, That, effective 12:01 a. m., May 26, 1947, and until further notice the regulations under the country "Germany" (39 CFR, Part 21, Subpart B, Service to Foreign Countries), as amended (11 F. R. 14517; 12 F. R. 705, 3151, and by all documents filed with the Division of the Federal Register) are further amended as follows:

1. Amend the item "Prohibitions" (39 CFR, Part 21), by the addition of the following regulations:

Effective 12:01 a. m., May 26, 1947, parcels containing cigarettes and tobacco products for delivery in Germany shall not be accepted for transmission through the Army Postal Service and the international mails.

Postmasters are, therefore, directed to question the mailers as to the contents of parcels addressed for delivery through any of the A. P. O.'s below listed, as well as parcels addressed for delivery in Germany through the international mails, and shall refuse to accept for mailing any containing cigarettes or other tobacco products.

The following A. P. O.'s c/o Postmaster, New York, New York, are currently operating in Germany:

1	114	207	636(A)
46	139	293	742
57	147	225	742(A)
61	164	349	743
62	163	403	751
65	171	403(A)	757
66	172	407	800
69	175	407(A)	807
82	178	633	872
	179	636	

2. Amend paragraph (c) (2) *British-held prisoners of war* (12 F. R. 705, 3151) to read as follows:

(2) Contents permitted are nonperishable foodstuffs, clothing, soap, mailable medical supplies, and similar items for relief of human suffering. No parcel shall contain any written or printed matter of any kind.

Any prohibited articles found in the parcels when they are checked by the British authorities will be liable to be confiscated.

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,  
Acting Postmaster General.

[F. R. Doc. 47-4800; Filed, May 21, 1947;  
8:46 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Land Management, Department of the Interior

#### Appendix—Public Land Orders [Public Land Order 367]

##### ALASKA

REVOKING EXECUTIVE ORDER OF MARCH 22, 1906, AND EXECUTIVE ORDER 4812 OF FEBRUARY 21, 1928, WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF AGRICULTURE FOR EXPERIMENT STATION PURPOSES

Whereas, by the Executive Order of March 22, 1906, certain unsurveyed lands described by metes and bounds were re-

served and set apart for the use of the Department of Agriculture for the purposes of an agricultural experiment station; and

Whereas, upon the subsequent extension of the rectangular system of public land surveys, such lands comprise portions sec. 31, T. 1 N., R. 1 W., sec. 36, T. 1 N., R. 2 W., sec. 6, T. 1 S., R. 1 W., and sec. 1, T. 1 S., R. 2 W., Fairbanks Meridian; and

Whereas, all of sections 31, 36, 6, and 1, above enumerated were, by section 2 of the act of March 4, 1915, 38 Stat. 1215 (U. S. C. Title 48, sec. 354) granted to the Territory of Alaska as a site for an agricultural college and school of mines: *Provided*, That so much of the land as was used by the Government of the United States as an agricultural experiment station might continue to be used for such purpose until abandoned for that use by an order of the President of the United States or by act of Congress; and

Whereas, so much of the land as was used by the Government of the United States as an agricultural experiment station in the sections six and thirty-one above enumerated were abandoned for that use by an instrument approved by the President of the United States on October 25, 1923; and

Whereas, by Executive Order No. 4812 of February 21, 1928, the E $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$  sec. 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$  sec. 11, T. 1 S., R. 2 W., F. M., were withdrawn for use by the Department of Agriculture for agricultural experiment purposes, which lands were used by the Department of Agriculture as a part of the agricultural experiment station near Fairbanks, Alaska, for the purpose of a yak pasture; and

Whereas, pursuant to the act of February 23, 1931, 46 Stat. 1242, 1245, authorizing the Secretary of Agriculture to turn over to the Agricultural College and School of Mines of Alaska, which has now become the University of Alaska, the tract of land and buildings near Fairbanks, Alaska, occupied and used by the Department of Agriculture as an experiment station, the Assistant Secretary of Agriculture, by an instrument dated May 22, 1946, did turn over to the University of Alaska said land, including the yak pasture, and buildings; and

Whereas, it appears that the transfer of all lands affected by the Executive Order of March 22, 1906, and Executive Order No. 4812 of February 21, 1928, has been completed, and the purpose of the withdrawals has ceased;

Now therefore, by virtue of the authority vested in the President by the act of June 25, 1910, 36 Stat. 847, as amended by the act of August 24, 1912, 37 Stat. 497 (U. S. C. Title 43, secs. 141-143) and otherwise, and pursuant to Executive Order No. 9337 of April 24, 1943, said Executive Order of March 22, 1906, and Executive Order No. 4812 of February 21, 1928, are hereby revoked.

C. GIRARD DAVIDSON,  
Assistant Secretary of the Interior  
MAY 15, 1947.

[F. R. Doc. 47-4771; Filed, May 21, 1947;  
8:48 a. m.]

# [Public Land Order 368]

## ALASKA

REVOKING EXECUTIVE ORDER OF JULY 18, 1898, WITHDRAWING PUBLIC LAND FOR USE OF DEPARTMENT OF AGRICULTURE AS HEAD-QUARTERS SITE FOR AGRICULTURAL INVESTIGATIONS AND WEATHER SERVICE

Whereas, by the Executive order of July 18, 1898, a tract of land known as Castle Hill, at Sitka, Alaska, was reserved as a building site for the headquarters of the agricultural investigations and weather service of Alaska; and

Whereas, pursuant to the act of July 7, 1932, 47 Stat. 609, 614 (U. S. C., Title 7, sec. 386g) authorizing the Secretary of Agriculture to transfer to any Government department or establishment or to local authorities or institutions property and equipment of the experiment stations in Alaska, and other areas, the Acting Secretary of Agriculture, by an instrument dated November 2, 1932, did transfer to the City of Sitka, Alaska, the land reserved by the Executive order of July 18, 1898, subject to the condition, however, that should the property ever be sold, assigned, transferred, leased or used for commercial purposes, title thereto shall revert to the United States of America, and

Whereas, it appears that the transfer of the land affected by said Executive order has been completed, and the purpose of the reservation has ceased;

Now therefore, by virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, the Executive order of July 18, 1898, is hereby revoked.

C. GIRARD DAVIDSON,  
Assistant Secretary of the Interior  
MAY 15, 1947.

[F. R. Doc. 47-4772; Filed, May 21, 1947;  
8:48 a. m.]

# [Public Land Order 369]

## ALASKA

REVOKING EXECUTIVE ORDERS 2247 OF SEPTEMBER 20, 1915, NO. 2658 OF JULY 10, 1917, AND NO. 3924 OF NOVEMBER 9, 1923, WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF AGRICULTURE AS AN AGRICULTURAL EXPERIMENT STATION

Whereas, by Executive Orders No. 2247 of September 20, 1915, No. 2658 of July 10, 1917, and No. 3924 of November 9, 1923, sec. 14, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , and NW $\frac{1}{4}$ SW $\frac{1}{4}$  sec. 15, T. 17 N., R. 1 E., Seward Meridian, Alaska, were withdrawn for the use of the Department of Agriculture as an agricultural experiment station; and

Whereas, pursuant to the act of July 7, 1932, 47 Stat. 609, 614 (U. S. C., Title 7, sec. 386g) authorizing the Secretary of Agriculture to transfer to any Government department or establishment or to local authorities or institutions property and equipment of the experiment stations in Alaska and other areas, the Secretary of Agriculture, by an order dated July 7, 1932, did transfer to the Alaska Agricultural College and School of Mines, now the University of Alaska, the property known as the Matanuska Agricultural Experiment Station, which

property is identified in an instrument executed by the Acting Secretary of Agriculture on July 21, 1936, as the lands described in the first paragraph of this order; and

Whereas, it appears that the transfer of all lands affected by Executive Order Nos. 2247, 2658, and 3924 has been completed, and the purpose of the withdrawals has ceased;

Now therefore, by virtue of the authority vested in the President by the act of June 25, 1910, 36 Stat. 847, as amended by the act of August 24, 1912, 37 Stat. 497 (U. S. C. Title 43, secs. 141-143) and pursuant to Executive Order No. 9337 of April 24, 1943, said Executive Orders Nos. 2247, 2658, and 3924 are hereby revoked.

C. GIRARD DAVIDSON,  
Assistant Secretary of the Interior  
MAY 15, 1947.

[F. R. Doc. 47-4773; Filed, May 21, 1947;  
8:48 a. m.]

## TITLE 50—WILDLIFE

### Chapter I—Fish and Wildlife Service, Department of the Interior

#### Subchapter Q—Alaska Commercial Fisheries

##### PART 208—KODIAK AREA FISHERIES

##### PART 223—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

##### PART 229—SOUTHEASTERN ALASKA AREA, SOUTHERN DISTRICT, SALMON FISHERIES

#### MISCELLANEOUS AMENDMENTS

1. Section 208.24 is hereby amended to read as follows:

§ 208.24 *Closed seasons, herring fishing.* Commercial fishing for herring, except for bait and except by gill nets, is prohibited in the hereinafter-described quota area prior to July 1 and after October 15 in each calendar year. *Provided*, That in the waters of the quota area in Shelikof Strait south of the latitude of Cape Uyak such fishing is prohibited prior to June 15 and after October 15 in each calendar year. In the remainder of the Kodiak area, commercial fishing for herring, except for bait and except by gill nets, is prohibited prior to June 1 and after October 15 in each calendar year.

2. Section 223.8a (d) is hereby amended to read as follows:

§ 223.8a *Open seasons, northern section, south of Sullivan Island.* \* \* \*

(d) By gill nets only in Berners Bay from 6 o'clock antemeridian September 1 to 6 o'clock postmeridian September 20.

3. Section 229.15 (n) is hereby amended to read as follows:

§ 229.15 *Areas open to salmon traps.* \* \* \*

(n) Cape Fox Island and within 1,000 feet of a point on an unnamed island near the western mainland shore at 54 degrees 45 minutes 47 seconds north latitude.

WARNER W. GARDNER,  
Assistant Secretary of the Interior  
MAY 14, 1947.

[F. R. Doc. 47-4774; Filed, May 21, 1947;  
8:48 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF AGRICULTURE

#### Production and Marketing Administration

#### [7 CFR, Part 29]

#### TOBACCO INSPECTION

#### REFERENDUM IN CONNECTION WITH PROPOSED DESIGNATION OF TOBACCO AUCTION MARKET AT FAYETTEVILLE, N. C.

Pursuant to the authority vested in the Secretary of Agriculture by the Tobacco Inspection Act (49 Stat. 731. 7 U. S. C. 511 et seq.) and in accordance with the applicable regulations issued thereunder by the Secretary, notice is given that a referendum of tobacco growers will be conducted from June 5 through June 7, 1947, to determine whether the tobacco auction market at Fayetteville, North

Carolina, shall be designated by the Secretary under said Act for the mandatory inspection of tobacco sold thereat.

Growers who sold tobacco at auction on the Fayetteville, North Carolina, market during the 1946 marketing season shall be eligible to vote in said referendum. Ballots for use in said referendum will be mailed to all eligible voters insofar as their names and addresses are known to the Secretary. Eligible voters who do not receive ballots by mail may obtain ballots from their local county agent or from the local office of the County Agricultural Conservation Association. All completed ballots shall be mailed to the Tobacco Branch, Production and Marketing Administration, United States Department of Agriculture, P. O. Box 549, Raleigh, North Carolina, and, in order to be counted in said

referendum, must be postmarked not later than midnight, June 7, 1947.

If, as a result of the aforesaid referendum, it is found that two-thirds or more of the eligible voters participating in the referendum favor the designation of the tobacco auction market at Fayetteville, North Carolina, under the provisions of the Tobacco Inspection Act, it is proposed that the Secretary will so designate such market for the mandatory inspection of tobacco in accordance with the act.

Issued this 16th day of May 1947.

[SEAL] E. A. MEYER,  
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 47-4780; Filed, May 21, 1947; 8:46 a. m.]

## NOTICES

### DEPARTMENT OF JUSTICE

#### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 8876]

HERMAN H. KAHRs

In re: Estate of Herman H. Kahrs, deceased. File D-28-9910; E. T. sec. 14034.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gesche Heitman and Adelheid Boschen, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the trust created under the will of Herman H. Kahrs, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Anna Elizabeth Bain and Helen Rose Teipel, as executrices and trustees, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director

[F. R. Doc. 47-4791; Filed, May 21, 1947; 8:50 a. m.]

[Vesting Order 8881]

#### PRUDENCE BONDS Co.-ETON HOLDING CORP.

In re: Mortgage Certificate Number 236, Prudence Bonds Company-Eton Holding Corporation. File No. F-28-8942; E. T. sec. 5146.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Benno Breitrainer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That all rights and interest evidenced by Mortgage Certificate Number 236, Prudence Bonds Company-Eton

Holding Corporation and the right to the transfer and possession of any and all instruments evidencing such rights and interest, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany)

3. That such property is in the process of administration by Brooklyn Trust Company, as trustee, acting under the judicial supervision of the United States District Court for the Southern District of New York, New York City

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-4792; Filed, May 21, 1947; 8:50 a. m.]



[Vesting Order 8885]

BOND AND MORTGAGE GUARANTEE CO. ET AL.

In re: Mortgage Participation Ctf. No. 116985 in Mtge #F-1258 (Guarantee No. 211554) issued by Bond and Mortgage Guarantee Company to Claus R. Stueven and Elizabeth Stueven. File No. D-28-10130, E. T. sec. 14418.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Claus R. Stueven and Elizabeth Stueven, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all rights and interest evidenced by a Mortgage Participation Certificate No. 116985 issued and guaranteed by Bond and Mortgage Guarantee Company under guarantee No. 211554 and the right to the transfer and possession of any and all instruments evidencing such rights and interest, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Manufacturers Trust Company, as trustee, acting under the judicial supervision of the Supreme Court of the State of New York, of Kings County, New York,

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-4793; Filed, May 21, 1947;  
8:50 a. m.]

[Vesting Order 8886]

JOSEPH WACHTELSCHNEIDER

In re: Estate of Joseph Wachtelschneider, also known as Joseph Wachtel, deceased. File No. D-34-826; E. T. sec. 13008.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joseph Pinter, whose last known address is Hungary, is a resident of Hungary and a national of a designated enemy country (Hungary)

2. That the sum of \$100.00 was paid to the Alien Property Custodian by Otto M. Sherman, Executor of the Estate of Joseph Wachtelschneider, also known as Joseph Wachtel, deceased;

3. That the said sum of \$100.00 was properly payable or deliverable to, or claimed by the aforesaid national of a designated enemy country, (Hungary)

4. That the said sum of \$100.00 is presently in the possession of the Attorney General of the United States and was property in the process of administration by Otto M. Sherman, Executor of the Estate of Joseph Wachtelschneider, deceased, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

5. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Hungary)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property in the Alien Property Custodian by acceptance thereof on September 17, 1946, pursuant to the Trading with the Enemy Act, as amended.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-4751; Filed, May 20, 1947;  
8:55 a. m.]

[Vesting Order 8887]

GEORGE WESSELS

In re: Estate of George Wessels, deceased. File D-28-11132; E. T. sec. 15549.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elizabeth J. Olliges, Marie Schulte Margaret Schulte, John Schulte, Frances Schulte, Gesma Schulte and Elizabeth (Helen) Schulte, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the sum of \$741.86 deposited on August 30, 1946, with the Clerk of Jefferson County Court (Probate Division) Louisville, Kentucky, to the credit of the persons named in subparagraph 1 hereof, pursuant to an order of the Jefferson County Court (Probate Division), Louisville, Kentucky, entered on August 30, 1946, in the matter of the Estate of George Wessels, deceased, subject to payment of any lawful fees and disbursements of the Clerk of Jefferson County Court (Probate Division), Louisville, Kentucky, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

3. That such property is in the process of administration by the Clerk of Jefferson County Court (Probate Division) Louisville, Kentucky, acting under the judicial supervision of the Jefferson County Court (Probate Division), Louisville, Kentucky;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 5, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director

[F. R. Doc. 47-4752; Filed, May 20, 1947;  
8:55 a. m.]

[Vesting Order 8895]

HENRY AFFLERBACH

In re: Trust u/w of Henry Afflerbach, deceased. File No. D-28-7811, E. T. sec. 8177.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ludwig Afflerbach, whose last known address is Germany, is a resident

of Germany and a national of a designated enemy country (Germany)

2. That the issue and descendants, names unknown, of Ludwig Afflerbach, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under the will of Henry Afflerbach, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

4. That such property is in the process of administration by North Philadelphia Trust Company, of Philadelphia, Pennsylvania, as Substituted Trustee of the trust created under the will of Henry Afflerbach, deceased, acting under the judicial supervision of the Atlantic County Orphans' Court, Mays Landing, New Jersey

and it is hereby determined:

5. That to the extent that the above named Ludwig Afflerbach, and his issue and descendants, names unknown, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 6, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-4753; Filed, May 20, 1947;  
8:55 a. m.]

[Vesting Order 8896]

GEORGE BREISACHER

In re: Estate of George Breisacher, deceased. File D-28-11187; E. T. sec. 15571.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Franz Theodore Schmidt and Bertha Liepert, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Franz Theodore Schmidt, who there is reasonable cause

to believe are residents of Germany, are nationals of a designated enemy country (Germany),

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of George Breisacher, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

4. That such property is in the process of administration by George G. Trautwein, as Substituted Administrator, c. t. a., of the Estate of George Breisacher, deceased, acting under the judicial supervision of the Bergen County Orphans' Court, Hackensack, New Jersey and it is hereby determined:

5. That to the extent that the above named persons and the personal representatives, heirs, next of kin, legatees and distributees, names unknown, of Franz Theodore Schmidt, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 6, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-4754; Filed, May 20, 1947;  
8:56 a. m.]

[Vesting Order 8893]

JOHN WASARG

In re: Estate of John Wasarg, alias John Wesarg, alias John Wersarg, deceased. D-28-3589; E. T. sec. 5794.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gustav Wesarg, Dora von Roenn (Ronn) Karl (Carl) Wesarg, Karl Heinz Wesarg, Frau Minna Donnerbert (Donnerberg), Dora Otte and Brunhild Wesarg, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of John Wesarg alias John Wasarg, alias John Wersarg, deceased, is property

payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by Louis E. Nelson, Treasurer of Cook County, Illinois, as depository, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 6, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,  
Director.

[F. R. Doc. 47-4755; Filed, May 20, 1947;  
8:56 a. m.]

[Vesting Order 8919]

SHOICHIRO KASHIWAGI

In re: Debt owing to Shoichiro Kashiwagi. D-39-5637-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shoichiro Kashiwagi, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Shoichiro Kashiwagi by the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of The Yokohama Specie Bank, Ltd., 80 Spring Street, New York, New York, in the amount of \$148.40, as of December 31, 1945, arising out of an accepted account payable, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken; and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director.

[F. R. Doc. 47-4756; Filed, May 20, 1947;  
8:56 a. m.]

[Vesting Order 8924]

SHIKAICHIRO YAMASHITA

In re: Stock owned by Shikaichiro Yamashita. D-39-711-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shikaichiro Yamashita, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows:

a. Two Hundred (200) shares of \$1.00 par value capital Class "A" stock of Central Public Utility Corporation, 34 Exchange Place, Jersey City 2, N. J., a corporation organized under the laws of the State of Delaware, evidenced by Certificates numbered C73 1 and C732 for one hundred (100) shares each, registered in the name of Shikaichiro Yamashita, together with all declared and unpaid dividends thereon,

b. Forty-Five (45) shares of \$50.00 par value capital stock of Anaconda Copper Mining Company, 25 Broadway, N. Y. 4, N. Y., a corporation organized under the laws of the State of Montana, evidenced by Certificate Number F706561, and registered in the name of Shikaichiro Yamashita, together with all declared and unpaid dividends thereon,

c. Twenty-One (21) shares of \$10.00 par value common capital stock (old) of Cities Service Company, 60 Wall Street, N. Y. 5, N. Y., a corporation organized under the laws of the State of Delaware, evidenced by Certificate Number SL167191, and registered in the name of Shikaichiro Yamashita, together with all declared and unpaid dividends thereon, and

d. Eighteen (18) shares of \$.20 par value capital stock of Transamerica

Corp., Montgomery Street at Columbus Avenue, San Francisco, California, a corporation organized under the laws of the State of Delaware, evidenced by Certificate Number SF/F43288, and registered in the name of Shikaichiro Yamashita, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 7, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,  
Director

[F. R. Doc. 47-4794; Filed, May 21, 1947;  
8:50 a. m.]

## DEPARTMENT OF AGRICULTURE

### Production and Marketing Administration

[P. & S. Docket No. 1532]

#### MARKET AGENCIES AT MISSISSIPPI VALLEY STOCK YARDS

#### NOTICE OF PETITION FOR EXTENSION OF TEMPORARY RATES

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), the Secretary of Agriculture issued an order on January 24, 1947 (6 A. D. 5) providing for certain temporary rates and charges for the respondent market agencies for a period ending June 30, 1947.

By petition filed on May 12, 1947, the respondents have requested that the said temporary rates and charges of the respondent market agencies be continued in effect until June 30, 1948.

It appears that public notice should be given of the filing of such petition in order that all interested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and to all interested persons

of the filing of such petition for an extension of temporary rates and charges.

All interested persons who desire to be heard upon the matter requested in said petition shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of publication of this notice.

Copies hereof shall be served upon the respondents by registered mail or in person.

Done at Washington, D. C., this 16th day of May 1947.

[SEAL]

H. E. REED,  
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 47-4789; Filed, May 21, 1947;  
8:46 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-895]

MICHIGAN GAS STORAGE CO.

NOTICE OF APPLICATION

MAY 15, 1947.

Notice is hereby given that on April 29, 1947, an application was filed with the Federal Power Commission by Michigan Gas Storage Company (Applicant), a Michigan corporation, having its principal place of business at Jackson, Michigan, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to sell natural gas to the Battle Creek Gas Company (Battle Creek) and to utilize its existing facilities for that purpose.

Battle Creek Gas Company heretofore has purchased its natural gas requirements from the Panhandle Eastern Pipe Line Company (Panhandle Eastern) for distribution in Battle Creek, Michigan, and its environs. Panhandle Eastern, under the rate schedule covering such sales, is obligated to deliver to Battle Creek a maximum of 3,500 Mcf in any one day. Applicant, through the utilization of its storage facilities, has agreed to furnish Battle Creek with its full requirements of gas, which, it is estimated, will require in 1947 a maximum delivery in any one day of 6,730 Mcf increasing to 8,195 Mcf in 1950.

The rate proposed to be charged Battle Creek is the same as that proposed to be charged Consumers Power Company, Applicant's only present customer, pursuant to newly filed schedules of rates and charges.

In an agreement dated February 10, 1947, Panhandle Eastern Pipe Line Company has agreed to increase its annual deliveries of gas to Applicant in specified volumes estimated to be sufficient to enable Applicant to adequately supply Battle Creek.

The proposed sale of gas to Battle Creek Gas Company will not entail construction of any additional facilities by Applicant.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative pro-

visions of the Commission's rules of practice and procedure, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of Michigan Gas Storage Company is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than fifteen days from the date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of the Rules of practice and procedure (effective September 11, 1946), and shall set out clearly and concisely the facts from which the nature of the petitioner or protestant's alleged right or interest can be determined. Petitions for intervention shall state fully and completely the grounds of the proposed intervention and the contentions of the petitioner in the proceeding so as to advise the parties and the Commission as to the specific issues of fact or law to be raised or controverted, by admitting, denying, or otherwise answering, specifically and in detail, each material allegation of fact or law asserted in the proceeding.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-4777; Filed, May 21, 1947;  
8:46 a. m.]

[Docket No. IT-6060]

#### CALIFORNIA ELECTRIC POWER CO.

#### NOTICE OF SUPPLEMENT TO APPLICATION

MAY 16, 1947.

Notice is hereby given that on May 16, 1947, a supplement to its application (12 F. R. 3236) under section 204 of the Federal Power Act, was filed by California Electric Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Arizona, California and Nevada, with its principal business office at Riverside, California, seeking an order authorizing it to borrow \$500,000 from Bank of America National Trust and Savings Association, at an interest rate of 1½% per annum, payable within ten days after the sale of the shares of Cumulative Preferred Stock for which authorization was sought in its application (12 F. R. 3236) all as more fully appears in the supplemental application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said supplemental application should, on or before the 27th day of May 1947, file a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 47-4785; Filed, May 21, 1947;  
8:46 a. m.]

## INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 183]

### RECONSIGNMENT OF GRAPEFRUIT AT BUFFALO, N. Y.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of paragraph (j) of Service Order No. 396 insofar as it applies to the reconsignment at Buffalo, N. Y., May 15, 1947, by Florida Citrus Exchange, of car PFE 51500, grapefruit, now on the N. Y. C. & St. L. RR., to Florida Citrus Exchange, Cleveland, Ohio (NKP).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 15th day of May 1947.

V. C. CLINGER,  
Director  
Bureau of Service.

[F. R. Doc. 47-4782; Filed, May 21, 1947;  
8:49 a. m.]

[S. O. 633-A]

### UNLOADING OF LUMBER AT EAST ST. LOUIS, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 16th day of May A. D. 1947.

Upon further consideration of Service Order No. 693 (12 F. R. 1763) and good cause appearing therefor: it is ordered, that:

(a) Service Order No. 693, *Lumber at East St. Louis, Ill., on G. M. & O. RR., be unloaded*, be, and it is hereby, vacated and set aside.

It is further ordered, that this order shall become effective at 6:00 p. m., May 16, 1947; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 418, 41 Stat. 476, sec. 4, 54 Stat. 901, 911, 49 U. S. C. 1 (10)-(17) 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 47-4781; Filed, May 21, 1947;  
8:49 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-1502]

VIRGINIA ELECTRIC AND POWER CO.

### ORDER GRANTING APPLICATION AND RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 15th day of May A. D. 1947.

Virginia Electric and Power Company, a public-utility subsidiary of Engineers Public Service Company, a registered holding company, having filed an application pursuant to sections 9 and 10 of the Public Utility Holding Company Act of 1935 requesting, among other things, approval to qualify as a bidder for 60,000 shares of common stock, \$10 par value, and \$1,300,000 principal amount of First Mortgage Bonds, Series A, due January 1, 1977, being all the securities of East Coast Electric Company, a public-utility subsidiary of East Coast Public Service Company, a registered holding company; and

A public hearing having been held after appropriate notice, and the Commission having considered the record in this matter and having made and filed its findings and opinion herein:

It is ordered, That said application be and it is hereby granted forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the following additional conditions:

1. That the proposed acquisition of the securities of East Coast shall not be consummated until the proposed purchase prices for such securities shall have been made a matter of record in this proceeding and a further order shall have been entered by the Commission in the light of the record as so completed.

2. That jurisdiction is reserved to approve the reasonableness of all fees and expenses claimed by any persons in connection with these transactions.

3. That in the event the securities of East Coast are acquired by VEPCO, jurisdiction is reserved to consider the acquisition of the electric utility assets of East Coast, cancellation of the East Coast securities and dissolution of East Coast as a corporate entity.

4. Jurisdiction is reserved over all proposed accounting entries to be made in connection with these transactions.

By the Commission.

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 47-4776; Filed, May 21, 1947;  
8:48 a. m.]

[File No. 812-493]

SCUDDER, STEVENS AND CLARK FUND, INC.

NOTICE OF APPLICATION STATEMENT OF  
ISSUES AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 16th day of May A. D. 1947.

Notice is hereby given that Scudder, Stevens and Clark Fund, Inc., has filed an application pursuant to section 6 (c) of the Investment Company Act of 1940 for an order of the Commission exempting from the provisions of section 10 (b) (2) of said act a proposed transaction permitting the applicant to use as a principal underwriter of shares of capital stock issued by it, Scudder Fund Distributors, Inc., a Massachusetts Corporation, notwithstanding the fact that a majority of the directors of Applicant are affiliated persons of said principal underwriter, provided that (1) applicant complies with the requirements of clauses (1) to (8) inclusive of said section 10 (d), (2) Scudder Fund Distributors, Inc., is a wholly-owned subsidiary of the investment adviser of Applicant, and (3) at least one of the directors of applicant is a person who is not an affiliated person either of said investment adviser or of said principal underwriter.

All interested persons are referred to said application which is on file in the

offices of this Commission for a more detailed statement of the proposed transaction.

It appearing to the Commission that a hearing upon the application is necessary and appropriate:

*It is ordered*, Pursuant to section 40 (a) of said act, that, a public hearing on the aforesaid application be held on the 5th day of June 1947, at 9:45 a. m., eastern daylight saving time, in Room 318 of the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

*It is further ordered*, That Richard Townsend, or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing and any officer or officers so designated to preside at such hearing is hereby authorized to exercise all of the powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to Trial Examiners under the Commission's Rules of Practice.

The Corporation Finance Division of the Commission has advised the Commission that upon a preliminary examination of the application, it deems the following issues to be raised thereby without prejudice to the specification of additional issues upon further examination:

(1) Whether the terms of the proposed transaction, including the consid-

eration to be paid and received, are reasonable and fair and do not involve overreaching on the part of any person concerned;

(2) Whether the proposed transaction is consistent with the policy of Scudder, Stevens and Clark Fund, Inc., as recited in its registration statement and reports filed under the act; and

(3) Whether the proposed transaction is consistent with the general purposes of the act.

Notice of such hearing is hereby given to the above-named Scudder, Stevens and Clark Fund, Inc., and to any other person or persons whose participation in such proceedings may be in the public interest or for the protection of investors. Any person desiring to be heard or otherwise wishing to participate in said proceeding should file with the Secretary of the Commission, on or before June 2, 1947, his application therefor as provided by Rule XVII of the rules of practice of the Commission, setting forth therein any of the above issues of law or fact which he desires to controvert and any additional issues he deems raised by the aforesaid application.

By the Commission.

[SEAL]

NELLYE A. THORSEN,  
Assistant to the Secretary.

[F. R. Doc. 47-4775; Filed, May 21, 1947;  
8:48 a. m.]